

Oct. 2, 2017

## Congress Shifts to Tax Reform

On Sept. 27, Trump and the "Big Six"— which includes Senate Majority Leader Mitch McConnell (R-Ky.), Speaker Paul Ryan (R-Wis.), Senate Finance Chairman Orrin Hatch (R-Utah), House Ways and Means Chairman Kevin Brady (R-Texas), Treasury Secretary Steven Mnuchin and National Economic Council Director Gary Cohn — released their "unified framework" for overhauling the U.S. tax code. The nine-page document will serve as a starting point for tax writers in both the House and the Senate to hash out the rest of the details.

But before it fleshes out the details of tax reform, Congress will need to pass a budget resolution that includes tax reform instructions so that it can then use budget reconciliation for tax reform. Budget reconciliation is a legislative maneuver that allows the majority in the Senate to bypass the filibuster process, allowing them to pass legislation with 51 votes, instead of the normal 60. The House is expected to vote on its FY 2018 budget on Thursday. In the Senate, the full Budget Committee is expected to mark up its budget plan, which is quite different than the House bill, later this week.

Concerning tax reform, the Senate budget would allow tax writers to add as much as \$1.5 trillion to the deficit over 10 years, but the House budget would not allow a tax plan to add to the deficit. This is just one of several differences that the two chambers will have to reconcile before moving forward on a tax package. Budget aside, the White House is optimistic for a tax plan to move quickly through Congress. "We would hope to be in the Senate in November," Cohn told reporters last week. "And we would hope to have a bill done by this year."

Meanwhile, the administration and GOP leaders will need to package this plan and sell it to the public as tax relief for the middle class and not a windfall for the wealthiest Americans if they want the reform to make it across the finish line. They will also need to secure the necessary votes in the Senate, which is anything but assured given that the slim Republican majority can ill-afford to lose votes of support.

In sum, enacting a tax plan this year might be overly optimistic given the tight congressional calendar and lack of agreement on key policy details. While Republicans are desperate for a win and a legislative victory, tax reform is by no means an easy feat and the process may continue well into 2018.

NCSL Contacts: Max Behlke; Jake Lestock

## NCSL Urges Preservation of the SALT Deduction

On Sept. 27, NCSL released the following statement regarding the tax reform framework:

*As a central tenet of tax reform is to provide tax relief for the middle class, NCSL is dismayed that the released framework will eliminate a deduction that is vital to middle class taxpayers, the State and Local Tax (SALT) deduction. The SALT deduction has existed in the federal tax code since its inception, which coincidentally was also when the federal tax code was at its simplest, because federal tax writers were cognizant to not tax an individual's income twice.*

*Eliminating this deduction will lead to higher tax burdens for tens of millions of middle class taxpayers of every political affiliation, an outcome contrary to the stated goal of providing meaningful relief to taxpayers. The elimination of the SALT deduction also impedes the ability of states to invest in infrastructure, fund education, and provide the vital public services that Americans expect from their state and local governments.*

*Ensuring that the incomes of American workers are not taxed twice hardly counts as a special interest tax break or loophole that needs to be closed. NCSL strongly supports preservation of the SALT deduction and opposes any attempt to harm middle class taxpayers and their communities.*

*Protect state taxpayers. Protect local decision making. Protect SALT.*

NCSL Contacts: Max Behlke; Jake Lestock

DYK? The Coinage Act of 1792 established the U.S. Mint, created the dollar as the nation's standard unit of money, and regulated the country's coinage. Specifically, the law specified that \$10, \$5 and \$2.50 coins (known as eagles, half-eagles and quarter-eagles) were to be made of their face value in gold, while the dollar, half-dollar, quarter-dollar, dime and half-dime coins were to be made of their value in silver. Criminals found that they could make a profit by filing shavings from the sides of gold and silver coins, and selling it. It did not take long for the U.S. Mint to begin adding ridges to the coins' edges, a process called "reeding," to make it impossible to shave them down without the result being obvious. As a side benefit, the reeded edges make counterfeiting more difficult.

## SCOTUS Gerrymandering Case Could Reshape American Politics

"There is only one prediction that is entirely safe about the upcoming term, and that is it will be momentous."

- Justice Ruth Bader Ginsburg, Sept. 20, 2017

Today, the Supreme Court of the United States (SCOTUS) returns for what could be one of the most consequential terms of the court in recent memory. In addition to cases on immigration, religious freedom, and privacy already on the docket, it will hear oral arguments in a case about partisan gerrymandering in Wisconsin, where a federal court in November 2016 struck down a legislative map for being too partisan. In *Gill v. Whitford*, a panel of three federal judges ruled that the Wisconsin State Assembly map adopted in 2011 violated the First and 14th Amendments to the Constitution. If the court ultimately rules against the plaintiffs, it could mean that no amount of partisan bias could make electoral districts unconstitutional. But on the flipside, if the court sides with the plaintiffs, it could ultimately lead to drastic changes of electoral maps and how state legislatures draw them.

### DYK? On this day in...

- **1996:** President Bill Clinton signed the Electronic Freedom of Information Act Amendments (E-FOIA), which required executive branch agencies to make certain types of records, created on or after Nov. 1, 1996, to be made available electronically. The amendments also required agencies to provide electronic reading rooms for citizens to use and extended the response time to FOIA requests from 10 days to 20 business days.
- **1980:** Pennsylvania Congressman Michael Myers became the first member of either chamber of Congress to be expelled since the Civil War, for his involvement in the Abscam scandal. As part of the public corruption investigation, Myers was videotaped accepting a \$50,000 bribe from undercover FBI Agents.
- **1967:** Thurgood Marshall was sworn in as the first African-American justice of the Supreme Court of the United States.

## Senate Releases Bipartisan Autonomous Vehicle Legislation That Pre-empts States

On Sep. 28, Senate Commerce Committee Chairman John Thune (R-S.D.), and Senators Gary Peters (D-Mich.), Roy Blunt (R-Mo.), and Debbie Stabenow (D-Mich.) unveiled legislation regarding autonomous vehicles—the American Vision for Safer Transportation Through Advancement of Revolutionary Technologies (AV START)

Act. The AV START Act is similar to the House passed SELF DRIVE but it also contains several significant differences as well as areas of concerns for states, notably in the areas of pre-emption and safety evaluation reports. The Commerce Committee will consider the legislation at a markup schedule for Oct. 4.

#### **Pre-emption**

The Senate committee bill currently includes a pre-emption section identical to that included in the bill passed by the House. Specifically, the language would pre-empt states from regulating the performance of automated driving systems (ADS) as well as any "unreasonable restrictions" concerning registration, licensing, driving education and training, insurance, law enforcement, crash investigations, safety and emissions inspections, congestion management of vehicles on the street within a state or political subdivision of a state, or traffic on the design, construction, or performance of highly automated vehicles or ADS. **NCSL Urges State Legislators to Contact their Congressional Delegations to Voice their Opposition to the Pre-Emption.**

Additionally, the bill would prohibit a state from issuing licenses for a dedicated highly automated vehicle (DHAV), which the bill defines as a level 4 or 5 automated vehicle, in a way that discriminates against those with disabilities.

A full NCSL analysis of the AV START legislation can be read [here](#).

*NCSL Contacts:* Ben Husch; Kristen Hildreth

#### **A Deeper Dive on Transportation, Energy, Environment and Agriculture Policy**

For those looking for a deep dive on federal Transportation, Energy, Environment and Agriculture topics, please check out the September editions of our Natural Resources and Infrastructure Committee's three monthly newsletters:

- Energy & Agriculture Update - latest federal developments influencing agriculture and energy policy
- Environment Update - latest federal developments on environment policy
- Transportation Update - latest federal developments on transportation policy

*NCSL Contacts:* Ben Husch; Kristen Hildreth

**DYK?** Russia did not consider beer, or any beverage that contained less than 10 percent alcohol, to be alcoholic until 2011. They previously classified it as a soft drink. The new restrictions were signed off by then

President Dmitry Medvedev as part of an attempt to counter alcohol abuse, which he earlier called a "national calamity."

## Supreme Court Will Hear Far-Reaching Union Case

The Supreme Court of the United States agreed on Thursday to hear *Janus v. AFSCME*, a case challenging the legality of union fees that could have serious ramifications for public sector unions. The case revolves around Illinois state employee Mark Janus, who contends the requirement that he pay union fees to the American Federation of State, County, and Municipal Employees (AFSCME) violates his free speech rights. The justices considered this issue once before, when the Court took up *Friedrichs v. California Teachers Association* last year. That case was brought by a California teacher, Rebecca Friedrichs, and resulted in a 4-4 deadlock following the death of Justice Antonin Scalia. Should the justices vote the same way, Neil Gorsuch will be in a position to offer the final tie-breaking vote.

NCSL Contacts: Joan Wodiska, Lucia Bragg

## Trump Signs Hurricane Relief Legislation for Schools, Issues Hurricane Relief Guidance

The president signed S. 1866 into law on Friday after the bill passed through Congress last week. The bill offers various forms of support for schools and colleges impacted by the recent hurricanes. Specifically, the law:

- Allows the U.S. Department of Education to waive a requirement that higher education institutions contribute matching funds as part of the Federal Work Study and Supplemental Educational Opportunity Grant programs.
- Redistributions the unused funds in those programs to colleges affected by the hurricanes.
- Provides access for private schools to funds available under the Project School Emergency Response to Violence program.

The law comes on the heels of new non-regulatory hurricane relief guidance, issued by the department on Sept. 22. The guidance identifies areas of federal law that are subject to flexibility and waivers for grantees and program participants impacted by natural disasters. The guidance focuses on support and flexibility options available to schools, state educational agencies, state lead agencies, local educational agencies, local early intervention service programs and providers, State Vocational Rehabilitation agencies, the Department of the Interior's Bureau of Indian Education (BIE)-funded schools, Tribes, and postsecondary institutions with a

focus on the 2017 hurricanes. The department will hold a webinar discussing the details of the guidance on Thursday, Oct. 5 at 2 p.m. ET. Interested participants may register [here](#).

NCSL Contacts: Joan Wodiska, Lucia Bragg

### **HHS Secretary Pays Price for Travel**

On Friday, Health and Human Services Secretary Tom Price resigned for his use of private charter and military jets to travel around the country at taxpayer expense. Don Wright, a longtime U. S. Health and Human Services (HHS) career employee, doctor and public health expert was named acting HHS secretary Friday following Price's resignation. Soon after Price stepped down, Washington began speculating about possible candidates for his replacement, including:

- Scott Gottlieb, the commissioner of the Food and Drug Administration
- Seema Verma, the administrator of the Centers for Medicare and Medicaid Services
- David Shulkin, the secretary of veterans affairs
- Former Louisiana Governor Bobby Jindal
- Florida Governor Rick Scott

NCSL Contact: Haley Nicholson

### **Also of Note...**

Federal Funding for the Children's Health Insurance Program (CHIP), which covers 9 million children, expired on Sept. 30. If Congress does not act, the Kaiser Family Foundation expects 10 states to run out of money for the program by the end of the year, and 21 states will be out of money by March 2018.

NCSL Contact: Haley Nicholson

The National Flood Insurance Program, a federal program that aims to provide affordable flood insurance to property owners, has depleted its borrowing authority after a series of devastating hurricanes over the past several weeks. The Federal Emergency Management Agency (FEMA), which runs the program, notified Congress on Sept. 20 that it borrowed \$5.8 billion from the Treasury to fund losses this year, including those incurred by Hurricanes Harvey and Irma, and "anticipated programmatic activities." The balance of FEMA's remaining borrowing authority is now zero, according to the agency.

NCSL Contact: Ethan Wilson

Read the Sept. 25, 2017, Capitol-to-Capitol.

If you have comments or suggestions, please contact [Max Behlke](#).

[Read More](#)

*Capitol to Capitol is a publication of the National Conference of State Legislatures. NCSL is recognized as a formidable lobbying force in Washington, D.C. NCSL works to protect states from unfunded federal mandates and unwarranted federal pre-emption of state authority, and seeks to provide state legislatures the flexibility they need to innovate and be responsive to the unique needs of their residents. NCSL's advocacy is guided by the [policy directives and resolutions](#) adopted during NCSL's Legislative Summit.*

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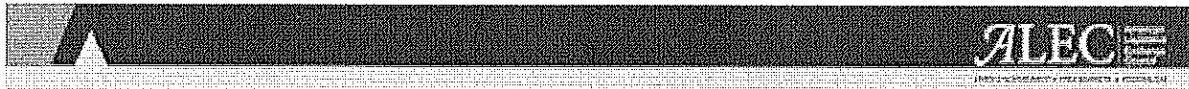
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7700 East First Place, Denver, CO 80230

**From:** Joel Griffith  
**Sent:** Tuesday, October 3, 2017 9:31 AM  
**To:** Rep88  
**Subject:** Important Deadlines for Task Force Members

To view this email as a web page, go [here](#).



Dear Repres Reineke,

Thank you for being a member of the Task Force on Tax and Fiscal Policy. I am writing to inform you of some upcoming deadlines for the ALEC States and Nation Policy Summit in Nashville, TN, on December 6–8, 2017.

*See below for some important dates related to our meeting:*

- **October 23, 2017** – 45-Day Policy Submission Deadline. If you would like to introduce new model policy please send me the draft language by that deadline.
- **November 2, 2017** – 35-Day Notice Published. This will contain a draft of the Task Force Meeting Agendas and model policies scheduled for consideration and review at the Task Force Meeting.
- **November 9, 2017** – Early Bird Registration and Housing Deadline.
- **December 7, 2017** – Task Force Meeting

At our Task Force Meeting we are excited to discuss pension reform, federal tax reform efforts (including elimination of the state and local tax deduction), the impact of carve-outs for favored entities in state tax codes, progress in securing a Balanced Budget Amendment, and countering favoritism with sports stadiums and other private real estate endeavors. In addition, we will provide a special presentation on the findings in the soon released 10<sup>th</sup> Annual *Rich States, Poor States* publication. The following subcommittees will be meeting: the E-commerce and Taxation Joint Working Group, Education Finance Joint Working Group, Fiscal Policy Reform Working Group, and Pension Reform Working Group. In addition the task force will likely consider a proposed resolution calling on Congress to ban federal bailouts of public pensions along with model policy related to discriminatory taxation of vaping devices.

To vote on these model policies and engage in the important policy discussions, register for the ALEC States and Nation Policy Summit at <https://www.alec.org/meeting/2017-states-nation-policy-summit-nashville-tn/>.

Feel free to reach out to me for any questions and I look forward to seeing you in Nashville.

[Click Here to Register](#)

Regards,

Joel T. Griffith, Esq.  
Director, Center for State Fiscal Reform



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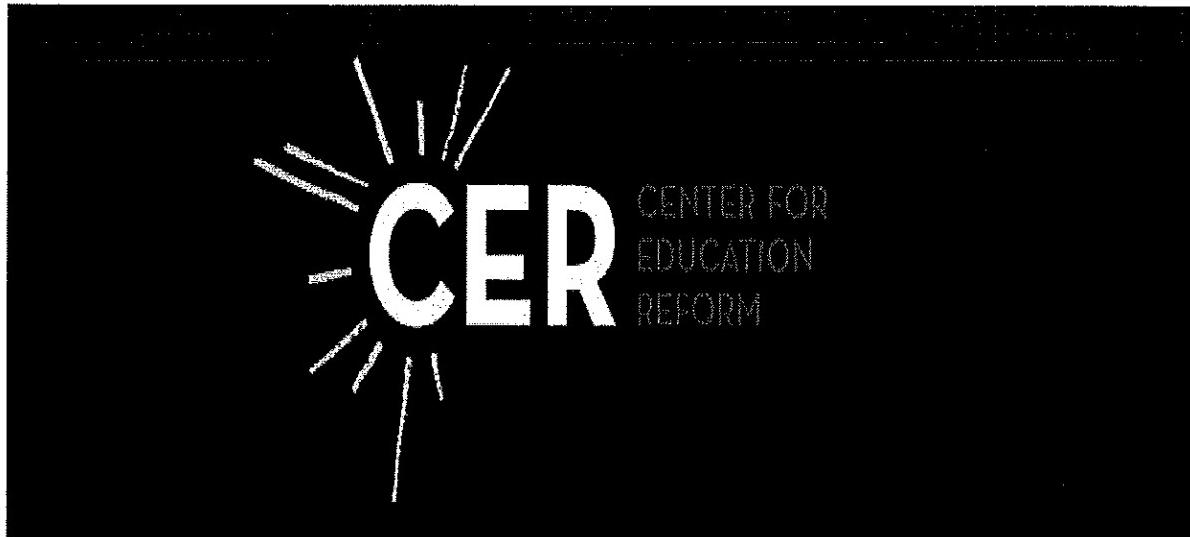
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**October 4, 2017**

## **Memo to Reporters**

From: Jeanne Allen, founder & CEO, the Center for Education Reform

### **Re: U.S. Supreme Court case holds promise for teacher freedoms**

Leaders of organizations and schools across the education reform arena are enthusiastic that on Thursday, September 28, the Supreme Court of the United States (SCOTUS) agreed to hear arguments in *Janus v. AFSCME*. The case was brought forth by Mark Janus, an Illinois Department of Healthcare and Family Services public employee who believes that forced unionism and the mandatory paying of fees violates his First Amendment rights. A favorable outcome in *Janus* could pave the way for a loosening on the stranglehold of other public sector employees compelled to pay mandatory union fees. Public school teachers, in particular, stand to benefit from the freedom that would allow them to make their own decisions as to whether or not they pay union dues and fees.

## **TOP 5 TAKEAWAYS IF SCOTUS RULES IN FAVOR OF *JANUS*:**

- Free millions of workers – public school teachers included ? 3 from compelled association—a clear violation of the First Amendment
- Millions of workers will no longer be compelled to pay union fees when opting out of union representation
- In addition to more take-home pay, teachers will have more freedom to innovate when opting out of mandated association with teachers' unions
- A pro-Janus ruling will have no impact on the ability for unions to organize and function
- The union-employee relationship should improve as unions will demonstrate their value to existing and future members

The case has been winding its way through Federal courts since early 2015 and was stayed pending an outcome in *Friedrichs v. California Teachers Association*, a case that was deadlocked 4-4 after the tragic passing of Justice Antonin Scalia. While the *Janus* case was initially dismissed by U.S. District Court after that *Friedrichs* ruling, the employees, backed by the National Right to Work Foundation, appealed to the 7th U.S. Circuit Court of Appeals in October 2016 which, as expected, upheld the lower court's decision – paving the way for an appeal to the U.S. Supreme Court. On June 6, 2017, a petition for Writ of Certiorari was filed and later accepted by SCOTUS. Now the 40-year old ruling in *Abood v. Detroit Board of Education* which created the current system allowing mandatory fees paid to public unions could very well be overturned.

It's important to note that the case started with an executive order issued by Illinois Governor Bruce Rauner, who sought to abolish mandatory collective bargaining pending review of its constitutionality. Since 2012, six states have passed laws strengthening workers' rights and freedom from having to pay

mandatory union fees. What is most notable is at least three of these states are “blue-to-purple” states with historic ties to organized labor, including Michigan, Wisconsin and West Virginia. Following these laws, teachers’ union membership dropped 20% in Michigan and 58% in Wisconsin. More state policymakers throughout the country are focused on the upcoming *Janus* case review. With teachers’ union-driven pension rules and union-backed laws that protect uniform pay scales, eschew performance pay and mandate teacher tenure, the elimination of mandatory fees could impact the unions’ ability to wage political battles to defend their turf and oppose proposals that put student achievement and parental choice at the center of every education improvement effort.

CER believes that the *Janus* case holds great potential for employees and could dramatically improve union-employee relationships. Overturning *Abood* will allow for teachers to associate as they see fit, providing teachers more freedom and independence to better serve their students. This will not bar union organizing but ensure unions prove their value to each member. Unions should celebrate the opportunity to prove their value to employees rather than relying on mandatory fees.

Instead, it is evident by the recent teachers’ union attacks on education reform that the unions fear the freedom *Janus* may bring to teachers, particularly as their funds are declining. Randi Weingarten, president of the American Federation of Teachers, the nation’s second-largest teachers’ union, has also scoffed at the idea that teachers are entitled to the same First Amendment rights as other employees.

Historically, public support for mandatory agency fees is low, and most Americans are unaware that teachers are pressured to join unions and forced to pay union fees even when they decline to join. A June 2017 survey by Education Next found that teachers oppose mandatory fees 47% to 44%, while the general public is 44% to 37% opposed.

As the public’s attention turns to *Janus v. AFSCME*, it is important to note that this case is bigger than one public employee or one union – this case could improve

the learning experience for students by dramatically empowering teachers nationwide, and change the course of American education.

Members of the media interested in writing about this in any aspect, CER's team can provide insights and commentary, and connect reporters with parents, teachers and those on the ground who will be most affected by the outcome of the case.

**MEDIA CONTACT:** Tim Sullivan, *Chief Communications Officer*  
[tim@edreform.com](mailto:tim@edreform.com) | (443) 532-2445

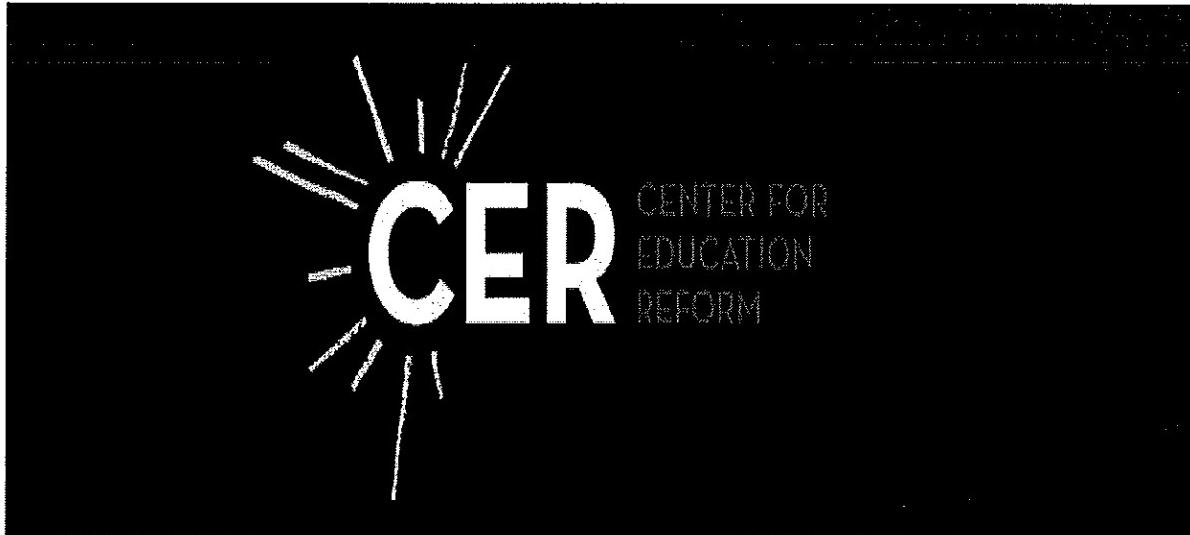
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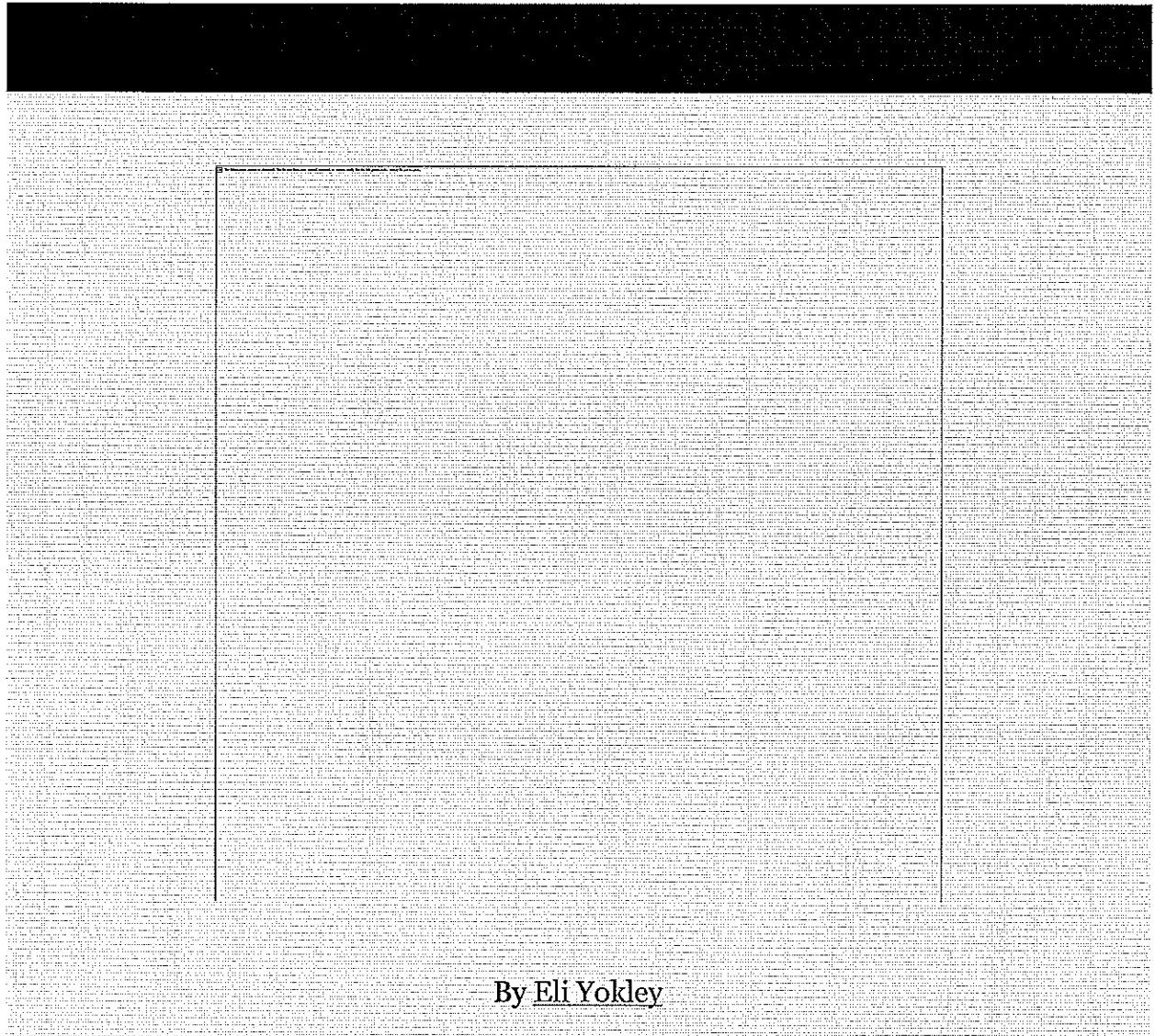
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**From:** Morning Consult  
**Sent:** Thursday, October 5, 2017 9:19 AM  
**To:** Rep88  
**Subject:** Morning Consult Washington, Presented by the Electronic Payments Coalition: Rep. Tim Murphy Won't Seek Re-election Next Year  
**Attachments:** ATT00001.txt; ATT00002.htm



## Top Stories

- Rep. Tim Murphy (R-Pa.), a member of the House Pro-Life Caucus, said he will not seek re-election next year. The announcement came shortly after publication of a news report that said Murphy urged a woman, with whom he was having an extra-marital relationship, to get an abortion. ([Pittsburgh Post-Gazette](#))
- Key Republican senators, including John Cornyn (Texas) and John Thune (S.D.), said they are open to legislation that would ban the "slide fire" devices known as bump stocks, which were reportedly used in the Las Vegas shooting. Sen. Dianne Feinstein (D-Calif.) introduced the bill with the backing of several Senate Democrats. ([Politico](#))
- Senate Foreign Relations Committee Chairman Bob Corker (R-Tenn.) said Secretary of State Rex Tillerson, Defense Secretary James Mattis and White House Chief of Staff John Kelly "help separate our country from chaos," an apparent jab at President Donald Trump. Following news reports of conflict between Tillerson and Trump, Corker said Tillerson is "without the support and help that I'd like to see him have." ([CNN](#))
- Robert Mueller, the special counsel investigating Russia's influence on the 2016 U.S. presidential election, is looking into former British intelligence officer Christopher Steele's dossier that included allegations of Russian links to Trump's campaign and his associates. Steele has not spoken with the Senate Intelligence Committee, whose leaders provided an update Wednesday on their Russia investigation. ([Reuters](#))

## Chart Review

**Mass shootings: How U.S. gun culture compares with the rest of the world**  
**The Washington Post**

**HOW THE U.S. COMPARES TO THE OTHER DEVELOPED  
COUNTRIES IN GUN OWNERSHIP**

Guns per 100 people

0    20    40    60    80    100

United States

Germany

Austria

Iceland

New Zealand

Finland

Norway

Canada

Switzerland

Portugal

Greece

Latvia

Luxembourg

France

Australia

Mexico

Slovenia

Turkey

Denmark

## **Events Calendar (All Times Local)**

### **THURSDAY**

Sen. Cotton speaks at Washington Post event	9 a.m.
House Financial Services Committee hearing on Equifax breach	9:15 a.m.
Chairman of Council of Economic Advisers speaks at Tax Policy Center event	9:30 a.m.
Senate Budget Committee markup of fiscal year 2018 budget resolution	10:30 a.m.
Charles Koch speaks at Good Profit Conference	12 p.m.
Peterson Institute event on global economic prospects for 2017	12:15 p.m.
BPC event on Turkish relations	2 p.m.

### **FRIDAY**

No events scheduled



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## General

### 3 Green Berets killed in ambush in Niger Barbara Starr et al., CNN

Three Green Berets were killed and two others were wounded in southwest Niger near the Mali-Niger border when a joint US-Nigerien patrol was attacked Wednesday, officials told CNN. Two administration officials said the wounded US troops had been evacuated to the capital, Niamey, and would soon be moved to Germany.

### Hurricane Damage in Puerto Rico Leads to Fears of Drug Shortages Nationwide Kate Thomas and Sheila Kaplan, The New York Times

Federal officials and major drugmakers are scrambling to prevent national shortages of critical drugs for treating cancer, diabetes and heart disease, as well as medical devices and supplies, that are manufactured at 80 plants in hurricane-ravaged Puerto Rico. Pharmaceuticals and medical devices are the island's leading exports, and Puerto Rico has

become one of the world's biggest centers for pharmaceutical manufacturing.

**Ex-Trump adviser Paul Manafort conspired to mislead bankruptcy court, son-in-law charges**  
**Kevin McCoy and Brad Heath, USA Today**

As federal authorities investigate former Trump campaign chairman Paul Manafort's controversial ties to Russia, his estranged son-in-law is accusing him of conspiring to mislead a federal bankruptcy court about real estate investments. Jeffrey Yohai made the allegation on Sept. 28, in a case that centers on four troubled California real estate investments that collectively total millions of dollars.

**Ivanka and Donald Trump Jr. Were Close to Being Charged**

**With Felony Fraud**

**Jesse Eisinger et al., ProPublica and WNYC**

New York prosecutors were preparing a case. Then the D.A. overruled his staff after a visit from a top donor: Trump attorney Marc Kasowitz.

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## **Presidential**

**'Trump dossier' on Russia links now part of special counsel's probe: sources**

**Mark Hosenball, Reuters**

The special counsel investigating whether Russia tried to sway the 2016 U.S. election has taken over FBI inquiries into a former British spy's dossier of allegations of Russian financial and personal links to President Donald Trump's campaign and associates, sources familiar with the inquiry told Reuters. A report compiled by former MI6 officer Christopher Steele identified Russian businessmen and others whom U.S.

intelligence analysts have concluded are Russian intelligence officers or working on behalf of the Russian government.

**NATO to Increase Counterterrorism Funding in Line With Trump Agenda**

**Julian E. Barnes, The Wall Street Journal**

The U.S. has reached an agreement with holdout France to increase NATO funding for counterterrorism programs, clearing a significant obstacle to the Trump administration's agenda for the alliance. Under the deal, allied diplomats said, the North Atlantic Treaty Organization's total budget, now \$1.6 billion, will rise next year by roughly 1%.

**The Trump administration has already been rolling back gun regulations**

**Beth Reinhard and Sari Horwitz, The Washington Post**

Donald Trump campaigned as a fierce defender of the Second Amendment and the favored candidate of the National Rifle Association, vowing to undo any actions by President Barack Obama on gun control. But when Trump nixed one of Obama's most significant efforts to expand background checks on prospective gun buyers, he did so without fanfare.

**Trump Speaks and a \$3.8 Trillion Market Hears an Existential Threat**

**Brian Chappatta, Bloomberg**

Even before Wall Street awoke, Wednesday looked like a wild day for the nation's \$3.8 trillion municipal-bond market. Few might have predicted just how wild things would get.

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## **Senate**

**Key GOP senators open to 'bump stock' ban**  
**John Bresnahan et al., Politico**

Top Senate Republicans said Wednesday they are open to considering legislation banning devices that were reportedly used to gun down scores of people in the worst mass shooting in modern American history. Bump stocks - also known as "slide fire" devices, which work by rapidly "bumping" the trigger of a semi-automatic weapon to boost the rate of fire - were reportedly used by Stephen Paddock to kill 58 people and wound more than 500 in Sunday's Las Vegas massacre.

**Corker: Tillerson, Mattis and Kelly 'separate our country from chaos'** Sophie Tatum  
**Sophie Tatum, CNN**

Tennessee Sen. Bob Corker said Wednesday that Secretary of State Rex Tillerson, Defense Secretary James Mattis and White House Chief of Staff John Kelly "help separate our country from chaos." "I think Secretary Tillerson, Secretary Mattis, and Chief of Staff Kelly are those people that help separate our country from chaos, and I support them very much," the Republican chairman of the Senate foreign relations committee told reporters Wednesday on Capitol Hill.

**Key Senator Lays Out a Path for Trump on Iran Nuclear Deal**  
**Kambiz Foroohar, Bloomberg**

A key U.S. senator long opposed to the 2015 nuclear agreement with Iran offered a path for President Donald Trump to distance himself from the accord without immediately quitting it, imposing new sanctions or carrying out military action. Arkansas Republican Tom Cotton, a member of the Armed Services Committee, said Trump should "decertify" Iran's compliance with the agreement in a report required by Congress every 90 days and next due on Oct. 15.

**Koch-backed group targets red-state Dems on tax reform**  
**Jonathan Easley, The Hill**

The fiscally conservative advocacy group Americans for Prosperity (AFP) is putting millions of dollars behind an ad-buy pressuring red-state Democrats up for reelection in 2018 to support the GOP's tax reform proposals. AFP, which is backed by billionaire Republican donors Charles and David Koch, has purchased \$4.5 million of air-time in three states, calling on Democratic Sens. Claire McCaskill (Mo.), Tammy Baldwin (Wis.) and Joe Donnelly (Ind.) to support a tax code overhaul.

**Roy Moore's Facebook page shared inflammatory memes, article praising Russia's anti-gay laws**  
**Andrew Kaczynski and Nathan McDermott, CNN**

The Facebook page belonging to Roy Moore, the Republican nominee for US Senate in Alabama, in February included a shared image of a group of black men standing on a destroyed police car during the 2015 Baltimore riots. Overlaying the image was text that read, "Want to stop riots? Play the National Anthem. They'll all sit down."

**Roy Moore's disruption of Washington has already begun, and more is on the way**  
**Sean Sullivan, The Washington Post**

Roy Moore didn't travel to Washington on Wednesday to kiss and make up with the Republican leaders who opposed his nomination to fill the Senate seat formerly held by Attorney General Jeff Sessions. He came to continue the revolt.

**As Messer and Rokita Squabble, Third GOP Indiana Senate Hopeful Sees Opening**  
**Griffin Connolly, Roll Call**

As Indiana Reps. Luke Messer and Todd Rokita try to out-insult each other in the Republican primary for the 2018 Indiana Senate race, a third

candidate seeks to quietly bypass the kerfuffle en route to the GOP nod. State Rep. Mike Braun has flooded his war chest with nearly \$800,000 of his own money and raised \$200,000 more, mostly from business associates of his automotive supply business.

**Schumer to visit WV for fundraiser**  
**Jake Zuckerman, Charleston Gazette-Mail**

One of the highest ranking congressional Democrats will visit West Virginia in November for a fundraiser hosted by the state Democratic Party. Senate Minority Leader Chuck Schumer, D-N.Y., will attend the annual dinner on Nov. 3 at the Charleston Civic Center, according to a news release from the party.

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## House

**Rep. Tim Murphy announces he will not seek re-election**  
**Tracie Mauriello and Chris Potter, Pittsburgh Post-Gazette**

Congressman Tim Murphy announced Wednesday that he will not seek re-election. "After discussions with my family and staff, I have come to the decision that I will not seek reelection to Congress at the end of my current term," the Upper St. Clair Republican said in a statement.

**Bannon Backs Grimm, Ex-Congressman and Felon, in G.O.P. Challenge**  
**Shane Goldmacher, The New York Times**

Michael Grimm, who is trying to win back his old House seat after serving time in federal prison, secured a notable new supporter on Wednesday: Stephen K. Bannon, President Trump's former chief strategist, who has sought to bolster the candidacies of populist outsiders since leaving the White House. The two met at Mr. Bannon's Capitol Hill townhouse on Wednesday afternoon, three days after Mr. Grimm

announced he was challenging Representative Dan Donovan of Staten Island for the Republican nomination in New York City's last G.O.P.-held congressional seat.

**South Carolina Democrat Archie Parnell Making 2018 Announcement**  
**Simone Pathé, Roll Call**

South Carolina Democrat Archie Parnell is set to make a "major announcement" on Oct. 9 in his hometown of Sumter about his 2018 plans, raising the likelihood that he will make another run for the Palmetto State's 5th District. Parnell will also appear at a kickoff event for the York County Democratic Party in Rock Hill the same day.

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## **States**

**Democrat Northam leads Republican Gillespie in race for Virginia governor, new poll finds**  
**Gregory S. Schneider and Scott Clement, The Washington Post**

A relatively unified party base gives Democrat Ralph Northam a clear lead over Republican Ed Gillespie heading into the final month of the Virginia governor's race, according to a new Washington Post-Schar School poll. Northam leads Gillespie by 53 percent to 40 percent among likely voters, with 4 percent supporting Libertarian Cliff Hyra.

**School bullies could face criminal charges under Ohio bill**  
**Jessie Balmert, Cincinnati Enquirer**

School bullies who repeatedly torment their victims would face criminal charges under a new proposal from a Democratic lawmaker. Bullying can lead to violence, retaliation and even suicide, said Sen. Sandra Williams,

D-Cleveland, who said she recently intervened when a relative was repeatedly bullied at school.

### **Missouri's Greitens Campaigns for Fellow Republicans**

**The Associated Press**

Missouri Gov. Eric Greitens is traveling to Virginia to support fellow Republican Ed Gillespie's campaign for governor. Greitens' spokesman Parker Briden on Wednesday confirmed the first-time elected official's attendance as the featured speaker at the early Thursday event.

### **NC House wants to examine MLS stadium idea. A Senate leader isn't sold**

**Paul A. Specht, The News & Observer**

Two months after a soccer franchise owner announced his hopes to build a stadium on state-owned land in downtown Raleigh, state leaders are responding with proposed legislation. The North Carolina Football Club, which wants to jump from a second-tier league to Major League Soccer, in July unveiled a proposal to build a \$150 million stadium and entertainment complex at the corner of Salisbury and Peace streets in downtown Raleigh.

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## **Advocacy**

### **Facebook fights back**

**David McCabe and Sara Fischer, Axios**

Facebook is stepping up its offensive to respond to questions about the role it played in Russian meddling in the 2016 presidential election. The moves come as it prepares to testify on Capitol Hill.

## **Reddit hires first lobbyists**

**Harper Neidig, The Hill**

The message board site Reddit has hired its first federal lobbyists, according to disclosure forms obtained this week. The move comes while lawmakers are increasingly scrutinizing web platform use by political entities.

## **The UAE Secretly Picked Up the Tab for the Egyptian Dictatorship's D.C. Lobbying**

**Zaid Jilani, The Intercept**

When Egypt went to work to establish the credibility of its repressive government in Washington, it had help from the United Arab Emirates Ambassador to the United States, Yousef Al Otaiba. Emails obtained by The Intercept show that Otaiba and the UAE essentially picked up the tab for Egypt's lobbyists in Washington, D.C.

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## **A Message from the Electronic Payments Coalition:**

The evidence is mounting: There are now at least a dozen studies that illustrate the failure of the Durbin amendment. In fact, a [recent paper](#) from Federal Reserve economists provides empirical evidence of harm to the consumer. [Get the facts](#) from the Electronic Payments Coalition.

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## **Opinions, Editorials and Perspectives**

### **The Gun Control Mirage**

**The Editorial Board, The Wall Street Journal**

Stephen Paddock's motives for his murderous rampage in Las Vegas on Sunday still aren't known, and neither are all the details of his plans and methods. But since our friends on the left have decided to make this a

debate over gun control, someone has to explain why their familiar solutions won't stop mass shootings.

**Donald Trump's Foreign Policy Circus**  
**The Editorial Board, The New York Times**

Another day, another embarrassing foreign policy circus in the nation's capital that can only further erode trust in American leadership at home and abroad. At its center is Rex Tillerson, who traded his job as top dog at the oil giant ExxonMobil to become secretary of state, only to find himself substantively and personally undercut by President Trump as recently as Sunday on the issue of Korea, where Mr. Tillerson wanted negotiations as Mr. Trump threatened war.

**This GOP tax proposal isn't fair. Here's what would be.**  
**Editorial Board, The Washington Post**

Gary Cohn, a Trump administration cheerleader for tax reform, said recently that the administration is "trying to get rid of all of the loopholes and all of the deductions that mostly wealthy people use." Unfortunately, that is not the case.

**Election Officials Attacked From All Sides on Purging Voter Rolls**  
**Rebecca Beitsch, The Pew Charitable Trusts**

Local and state election officials have long faced the difficult task of facilitating one of democracy's central tenets: figuring out who to take off outdated voter rolls without disenfranchising eligible voters. Increasingly, though, officials find themselves caught in the middle as competing interest groups from the right and left work - often through the court system - to influence how thousands of local election officials do their jobs.

## A Message from the Electronic Payments Coalition:

In a [recent paper](#), Federal Reserve economists confirm what many industry experts have said before: The Durbin amendment harms consumers. There are now at least a dozen studies that illustrate why this failed policy must be repealed. [Learn the truth from EPC.](#)

## Research Reports and Polling

### [???Disaster Relief: America's Response to Recent Hurricanes](#) [The Associated Press and NORC](#)

In the aftermath of the recent devastating hurricanes about half of Americans approve of how President Trump has handled disaster relief for the victims within the United States, but just a third approve of his response to those impacted in the U.S. territories, according to a new poll by The Associated Press-NORC Center for Public Affairs Research. Nearly half disapprove of his handling of disaster relief in Puerto Rico and the U.S. Virgin Islands.



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Weekly policy updates from  
THE HEARTLAND INSTITUTE 

## Special Invitation: 2017 Emerging Issues Forum

*"Absolutely one of the best forums I have attended."*  
-- Tennessee State Representative Sheila Butt

The Heartland Institute would like to invite you to its 2017 Emerging Issues Forum and America First Energy Conference, which will be held November 7-9 at the J.W. Marriott Hotel in Houston, Texas.

The Emerging Issues Forum (EIF) will look to the future and explore state public policies in the areas of economics, education, health care, and more. Immediately following EIF, Heartland will host the America First Energy Conference. This event will examine President Donald Trump's bold proposal to transform the United States' energy goals beyond mere energy independence and determine where America stands today in the global energy market.



During these two conferences, elected officials, policy analysts, and government affairs professionals from more than 25 states will convene in Texas to explore innovative solutions to the top policy issues facing the states in 2018 and beyond.

**Admission is free for elected officials and legislative staff.** Registration includes admission to the forum and conference. The Heartland Institute also has a limited number of travel scholarships and complimentary accommodations at the host hotel still available for state lawmakers who become members of Heartland's Legislative Forum. If you are not currently a member of the Legislative Forum, membership is only \$99 for two years and \$179 for a lifetime - it pays for itself!

Below is just a small sample of what will be covered at the events:

**Health Care.** There are many steps states can take to encourage competition and reduce the cost of health care, despite federal inaction on Obamacare. Solutions that will be discussed include how states can use the waiver process to get more flexibility from federal Obamacare and Medicaid requirements. The panel will also discuss certificate of need laws, dental health care, and direct primary care.

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**Budget and Tax.** In recent months and years, some states have been passing right-to-work laws, lowering taxes, and reforming their public pension systems, while others have been increasing taxes and adding regulations. This panel will discuss which policies are working and which are failing.

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**Education.** Education outcomes in America continue to lag compared to other industrialized nations, but educational choice options such as education savings accounts and charter schools continue to expand in many states. This panel will analyze the roadblocks to transforming education and offer solutions for how states can expand education freedom for parents everywhere.

To reserve your place at the events or to join the Legislative Forum, contact Government Relations Coordinator Arianna Wilkerson at 312/377-4000 or by email at [awilkerson@heartland.org](mailto:awilkerson@heartland.org).

See you in November!

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## WHAT WE'RE WORKING ON

### Health Care

#### Research & Commentary: Dental Therapy Would Help with Michigan's Dentist Shortage

In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines a new proposal offered in Michigan to improve access to dental care by expanding the role of dental therapists. "Allowing dental therapists to practice in more states would help to close gaps in dental care access and



ensure patients receive preventive and restorative treatments when and where they need them," wrote Glans.

#### Budget & Tax

##### WI State Rep. Rob Hutton: Prevailing Wage Repeal Protects Local and State Taxpayers

In this episode of the weekly *Budget & Tax News Podcast*, Managing Editor and Research Fellow Jesse Hathaway speaks with Wisconsin state Rep. Rob Hutton (R-Brookfield) about how Wisconsin lawmakers are protecting local and state taxpayers' money by including prevailing-wage repeal in the state's biennial budget bill. ⚡ 0Prevailing-wage laws require government agencies to regulate the compensation given to workers on government capital projects, such as school construction and road repair, Hutton says, instead of allowing businesses to set their own pay rates according to true market value."

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#### Education

##### Research & Commentary: Strike Vouchers Would Help Keep Vermont Children in Classrooms During Teacher Walkouts

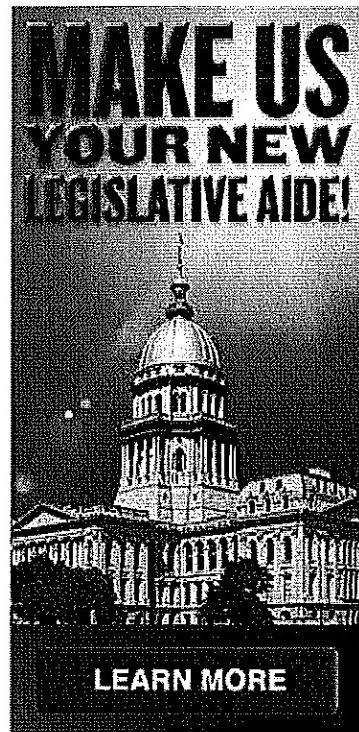
In this *Research & Commentary*, Tim Benson, a Heartland policy analyst, and Lennie Jarratt, project manager for Heartland's Center for Transforming Education, discuss a recent four-day strike by teachers in Burlington, Vermont. Benson and Jarratt argue their plan to implement strike vouchers and SOS accounts would help keep kids in the classroom during strikes and free as many families as possible from the constant tug-of-war occurring between teachers unions and school districts.

#### Energy & Environment

##### President Streamlines Infrastructure Construction

This story from *Environment & Climate News* discusses President Donald Trump's sweeping executive order that eliminates and streamlines some permitting regulations. By improving these processes, the construction of critical infrastructure - such as roads, bridges, and pipelines - will be sped up. The order establishes a "one federal decision policy," under which a single lead federal agency will work with others to complete environmental reviews and permitting decisions. All federal permitting decisions will have to be made within 90 days. The plan also rolls back standards set by President Barack Obama that had required the federal government when building infrastructure projects to assume in its plans there will be climate change and sea-level rise in the future.

#### From Our Free-Market Friends



#### POLICY NEWSPAPER



The October 2017 issue of *Environment & Climate News* reports about the U.S. Court of Appeals for the District of Columbia ruling the Environmental Protection Agency exceeded its authority under the Clean Air Act. In a 2015 rule, EPA banned a number of hydrofluorocarbons (HFCs) and required companies to replace them with "greener" substances in their products. HFC manufacturers

### Bold New Approaches Needed for Louisiana

Daniel Ersperer, CEO of the Pelican Institute for Public Policy, recently wrote in *The Advocate* about the unemployment and income growth problems facing Louisianans and the pro-growth solutions that can solve them. Louisiana is one of four states that experienced a decline in median household income from 2015 to 2016, and it has one of the highest unemployment rates in the country. Ersperer calls for a transformation of the state's government, which continues to overspend, overtax, and overregulate. Pro-growth solutions include eliminating burdensome red tape, expanding education choice, and reforming the state's judicial system.

successfully argued in court the EPA could not lawfully implement such ban.

### Budget & Tax News

### Health Care News

### School Reform News



### **The Heartland Institute**

The Heartland Institute is a 33-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.

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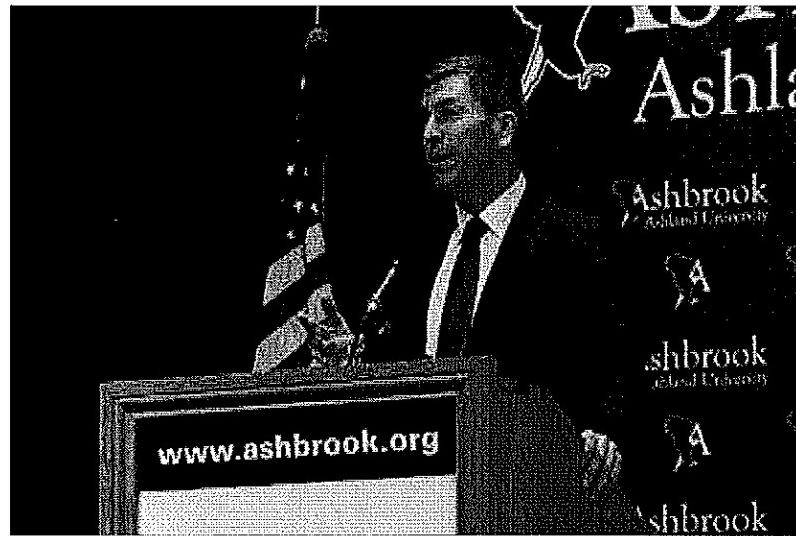
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***"We can surely all agree that the Constitution itself means far more to our nation than a single holiday could ever reflect"***

Wise words from Acting Assistant Attorney General Chad Readler's Constitution Day remarks at the Ashbrook Center on September 15th. In that spirit, I invite you to watch his full speech, which is now available online at [CSPAN.org](http://CSPAN.org).

Warmest Regards,

Roger Beckett  
Executive Director

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**Brian Kilmeade**  
*Andrew Jackson and the Miracle of New Orleans*  
The Second Peter W. Schramm Memorial Lecture

**Friday, November 3, 2017 at 7:30 PM**  
Renaissance Theatre  
138 Park Avenue West  
Mansfield, Ohio



You're invited to the Second Peter W. Schramm Memorial Lecture with bestselling author **Brian Kilmeade** on Friday, November 3.

Kilmeade is co-host of the popular *Fox & Friends* morning program and host of the nationally syndicated radio program, *The Brian Kilmeade Show*.

Kilmeade will make history come alive with his telling of riveting true stories from our American history as he speaks about his new book, *Andrew Jackson and the Miracle of New Orleans*. He will discuss the development of Jackson's character and bring you to the scene of one of the most pivotal battles in our nation's history.

Tickets for general seating are available for \$20 each. A book signing will follow. To purchase tickets please contact Carrie Clever at the Ashbrook Center at 419-289-5411 or [c clever@ashbrook.org](mailto:c clever@ashbrook.org).

We are grateful to Samuel H. and Maria Miller and WMAN Radio for their generous support of the Peter W. Schramm Memorial Lecture.

*Additional sponsorship opportunities are available at \$1,000 and include a private reception and photo-op with Brian Kilmeade.*

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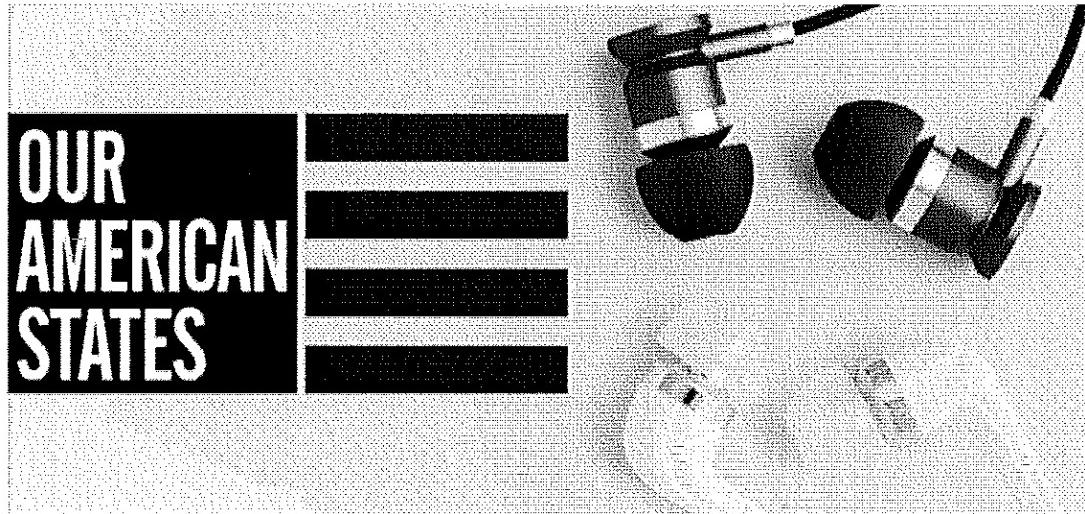
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**Subject:** Five U.S. Supreme Court cases to watch this term



NATIONAL CONFERENCE  
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## U.S. Supreme Court Cases to Watch This Term



Five cases that the U.S. Supreme Court has put on its docket for the current term could have a significant impact on states. State legislatures are waiting for decisions on these cases, and could cause them to change state laws depending on how the court rules. And a potentially explosive sixth case is waiting in the wings.

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**Don't miss these past episodes of Our American States:**

[The Role of States and Governments in Natural Disasters](#)

Our guests this episode are Lisa Soronen, executive director of the State and Local Legal Center, and Susan Frederick, senior federal affairs counsel at NCSL.

The cases we examine are:

- *Gill v. Whitford*, a Wisconsin case in which the court may decide whether partisan gerrymandering is unconstitutional.
- *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, looks at whether Colorado's public accommodations law violates a cake artist's First Amendment free speech and free exercise rights.
- *Janus v. American Federation of State, County and Municipal Employees* the court will address whether unions can collect dues from nonmembers.
- *Husted v. A. Philip Randolph Institute* looks at Ohio's procedures to remove voters from their rolls after four years of inactivity.
- *Christie v. National Collegiate Athletic Association* may decide how far Congress can regulate states and localities in the absence of comprehensive federal regulation.

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And, as a bonus, we'll discuss what could happen if the court accepts a South Dakota case that could overturn the 1992 *Quill Corp v North Dakota*, which said states could not force business to collect sales or use taxes unless it has a physical presence in a state.

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**To:** State Policy Team  
**Subject:** Obamacare Tax Repeal-Ohio Congressional Delegation  
**Attachments:** ATR-OHLetter.pdf

Americans for Tax Reform and the Buckeye Institute will send the following enclosed coalition letter (attached and pasted below) to members of the Ohio congressional delegation tomorrow, urging them to repeal the 20 tax increases included in Obamacare.

If you would like to add your name to the list of signers before this letter goes out to members of Congress tomorrow afternoon, you can do so by responding to this email or emailing [state@atr.org](mailto:state@atr.org). By adding your name to this letter, you will help send a strong message in defense of Ohio taxpayers. The text of the letter reads as follows:



Dear Members of the Ohio congressional delegation:

On behalf of the undersigned organizations we write to urge you to prevent the Obamacare tax on health insurance from going into effect in 2018.

Unless you and your colleagues act soon, this tax, along with the tax on medical devices, will go into effect January 1, 2018, leading to higher premiums and higher costs for middle class families, seniors, and small businesses. Ideally, both the health insurance tax and medical device tax should be repealed permanently, as should all one trillion dollars of Obamacare taxes.

Absent full repeal, it is critical that lawmakers should act to delay these two taxes so they do not hit taxpayers in 2018. While both are harmful to taxpayers, the health insurance tax is particularly devastating.

In Ohio alone, it is estimated that the Obamacare health insurance tax will cost between 3173 and 5920 jobs by 2023, causing a loss of \$1 billion in economic growth over a decade.

Nationwide, this tax will hit 11 million households that purchase through the individual insurance market and 23 million households covered through their jobs. Half of the tax is paid by those earning less than \$50,000 a year and it will increase premiums by \$5,000 per family over the next decade according to research by the American Action Forum.

Next year alone, the health insurance tax will total **\$14.3 billion**, while over the next decade, the tax is estimated to total \$145 billion in higher taxes.

Already, American families have been hit hard by Obamacare's tax increases. The law imposed multiple taxes that have increased the cost of

care for families and reduced choice including a tax on Americans facing high medical bills, multiple taxes on health savings accounts, a tax on prescription medicines, and a tax for failing to buy health insurance.

The last thing taxpayers need is even more taxes to go into effect. It is imperative that you and your colleagues work to prevent new Obamacare taxes from harming your constituents, including the tax on health insurance.



Dear Members of the Ohio congressional delegation:

On behalf of the undersigned organizations we write to urge you to prevent the Obamacare tax on health insurance from going into effect in 2018.

Unless you and your colleagues act soon, this tax, along with the tax on medical devices, will go into effect January 1, 2018, leading to higher premiums and higher costs for middle class families, seniors, and small businesses. Ideally, both the health insurance tax and medical device tax should be repealed permanently, as should all one trillion dollars of Obamacare taxes.

Absent full repeal, it is critical that lawmakers should act to delay these two taxes so they do not hit taxpayers in 2018. While both are harmful to taxpayers, the health insurance tax is particularly devastating.

In Ohio alone, it is estimated that the Obamacare health insurance tax will cost between 3173 and 5920 jobs by 2023, causing a loss of \$1 billion in economic growth over a decade.

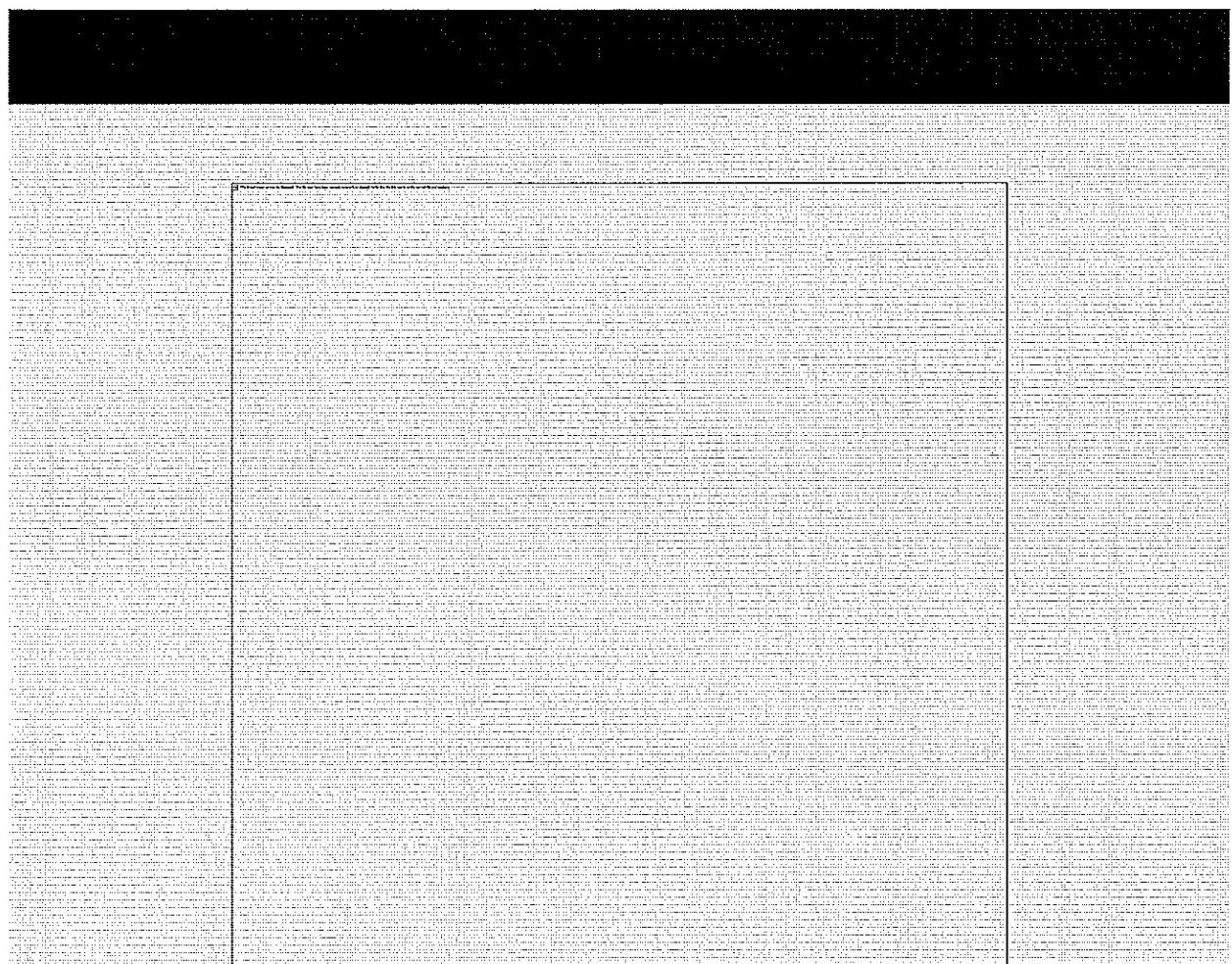
Nationwide, this tax will hit 11 million households that purchase through the individual insurance market and 23 million households covered through their jobs. Half of the tax is paid by those earning less than \$50,000 a year and it will increase premiums by \$5,000 per family over the next decade according to research by the American Action Forum.

Next year alone, the health insurance tax will total \$14.3 billion, while over the next decade, the tax is estimated to total \$145 billion in higher taxes.

Already, American families have been hit hard by Obamacare's tax increases. The law imposed multiple taxes that have increased the cost of care for families and reduced choice including a tax on Americans facing high medical bills, multiple taxes on health savings accounts, a tax on prescription medicines, and a tax for failing to buy health insurance.

The last thing taxpayers need is even more taxes to go into effect. It is imperative that you and your colleagues work to prevent new Obamacare taxes from harming your constituents, including the tax on health insurance.

**From:** Morning Consult  
**Sent:** Tuesday, October 31, 2017 9:03 AM  
**To:** Rep88  
**Subject:** Morning Consult Washington, Presented by the National Association of Broadcasters: Facebook Says Russian Posts Reached 126 Million Users  
**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

OUT TODAY: Morning Consult's latest Governor and Senator Approval Rankings.

## Top Stories

- Representatives from Facebook Inc., Twitter Inc. and Google Inc. are set to testify today at a Senate Judiciary subcommittee hearing about Russia's attempts to influence the 2016 U.S. presidential election. According to prepared testimony, Russian-backed Facebook posts reached 126 million users, while Russian-linked accounts posted more than 131,000 tweets and more than 1,000 videos were uploaded to YouTube by Russians - far more information than the companies previously revealed. ([The New York Times](#))
- President Donald Trump has become increasingly concerned that special counsel Robert Mueller's Russia probe could be moving toward an investigation into his personal dealings. Trump privately sought to downplay Paul Manafort's role in his presidential campaign after the former campaign chairman and his longtime business associate, Rick Gates, were indicted, while the White House publicly distanced itself from former campaign adviser George Papadopoulos, who pleaded guilty to lying to the Federal Bureau of Investigation. ([The Associated Press](#))
- House Ways and Means Committee Chairman Kevin Brady (R-Texas) said no decision has been made on a proposal to gradually phase in the GOP's proposed corporate tax cut. Republican lawmakers are preparing to introduce their tax overhaul legislation on Wednesday, and Trump wants the corporate rate cut immediately. ([Bloomberg](#))
- Massachusetts Gov. Charlie Baker and Maryland Gov. Larry Hogan - both Republicans in traditionally blue states - are the nation's most popular governors, according to new poll. ([Morning Consult](#)) A separate survey of constituents in all 50 states found that Bernie Sanders (I-Vt.) is still America's most popular senator,

while Majority Leader Mitch McConnell (R-Ky.) is the least popular. ([Morning Consult](#))

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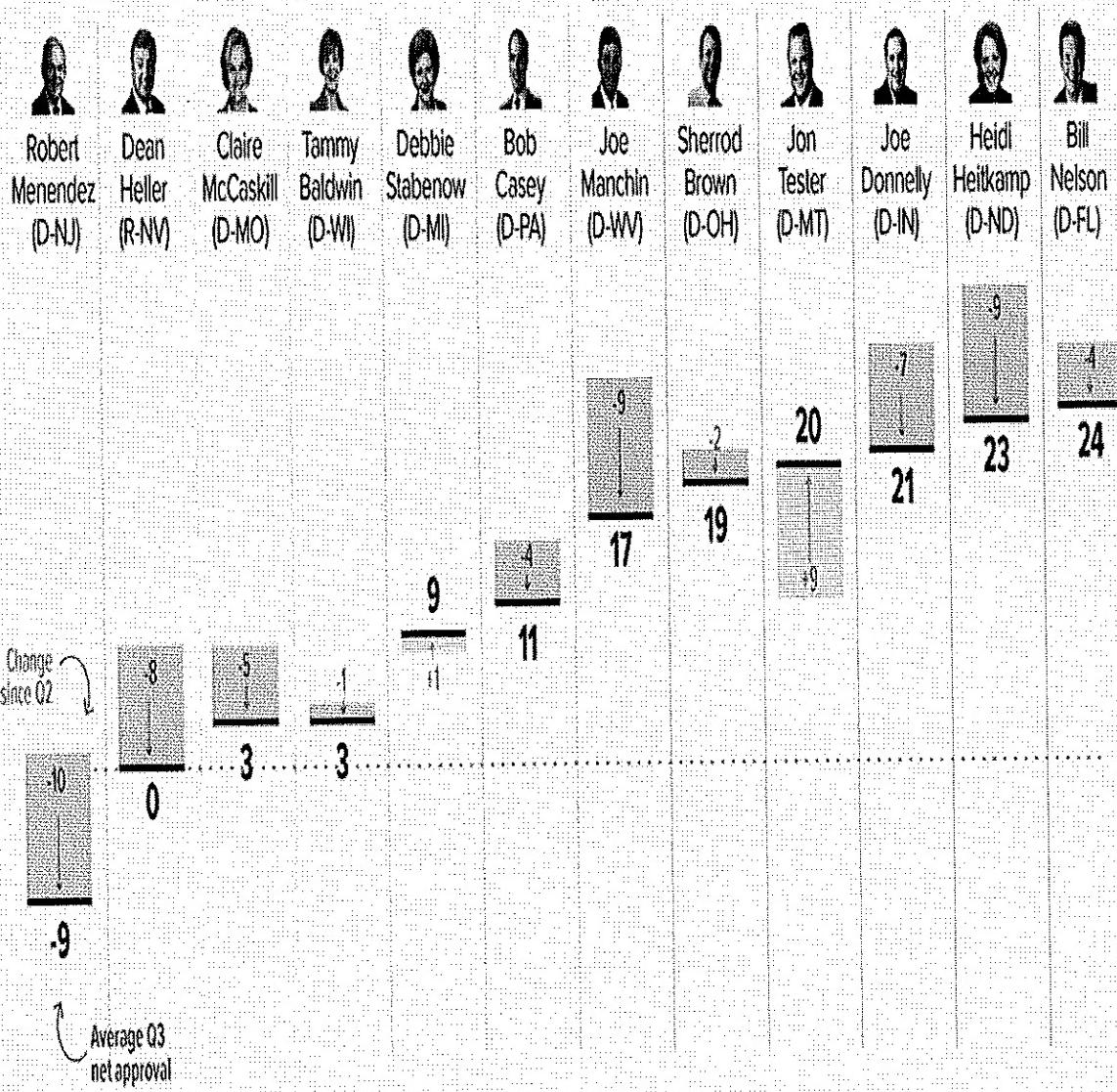
## Chart Review

### **How Voters View 2018's Most Vulnerable Senators a Year Out**

**Morning Consult**

## Net Approval for the Most Vulnerable Senators in 2018

and how it's changed since the second quarter of 2017.



MORNING CONSULT

Q2 poll conducted 04/01-06/18, 2017 among a sample of 141,400 registered voters  
Q3 poll conducted 07/01-09/30, 2017, among a sample of 255,120 registered voters

## **Events Calendar (All Times Local)**

### **TUESDAY**

- Senate Judiciary subcommittee hearing on extremist content and Russian disinformation online 2:30 p.m.
- Sec. Ross testifies at Senate Homeland Security Committee hearing on 2020 Census 2:30 p.m.

### **WEDNESDAY**

- Senate Intelligence Committee hearing on influence of social media on the 2016 election 9:30 a.m.
- Senate Banking Committee hearing on Export-Import Bank nominees 10 a.m.
- North Korean defector testifies before House Foreign Affairs Committee 10 a.m.
- Center for American Progress event on the year since the 2016 election 10 a.m.
- Google, Facebook and Twitter representatives testify before House Intelligence Committee's Russia task force 2 p.m.
- Sally Yates delivers lecture at Georgetown on criminal justice reform 4 p.m.

### **THURSDAY**

Reps. Duffy, MacArthur speak at Ripon Society event on Puerto Rico	7:45 a.m.
Sec. Perry, Sen. Cantwell speak at Axios/NBC News event on energy	8 a.m.
Carter Page testifies before House Intelligence Committee	9 a.m.
Sens. Portman, Whitehouse and Shaheen speak at event on opioids	3 p.m.

## **FRIDAY**

No events scheduled

Should Apple voluntarily activate  
FM radio in iPhones?

Most Americans say  
**YES** by a 5-1 margin.

[Learn more »](#)

## General

**Russian Influence Reached 126 Million Through Facebook Alone**

**Mike Isaac and Daisuke Wakabayashi, The New York Times**

Russian agents intending to sow discord among American citizens disseminated inflammatory posts that reached 126 million users on Facebook, published more than 131,000 messages on Twitter and uploaded over 1,000 videos to Google's YouTube service, according to copies of prepared remarks from the companies that were obtained by The New York Times. The detailed disclosures, sent to Congress on Monday by companies whose products are among the most widely used

on the internet, came before a series of congressional hearings this week into how third parties used social networks and online services to influence millions of Americans before the 2016 presidential election.

**Manafort Faces a Stark Choice: Cooperate or Risk Years in Prison**

**Christian Berthelsen, Bloomberg**

U.S. prosecutors filed a straightforward, easy-to-prove criminal case against former Trump campaign manager Paul Manafort, leaving him with a stark choice: cooperate or fight the charges and, if he loses, face years in prison. The indictment, unsealed on Monday, relies extensively on so-called document charges - essentially that Manafort and his business partner Richard Gates didn't file reports to the government that they were required to under the law.

**FBI Is Probing Puerto Rico Power Contract**

**Andrew Scurria, The Wall Street Journal**

The Federal Bureau of Investigation is investigating a \$300 million contract awarded by Puerto Rico's government power company to a tiny Montana energy to rebuild electrical infrastructure damaged in Hurricane Maria, according to people familiar with the matter. Agents from the FBI's San Juan field office are looking into circumstances surrounding the deal the public-power monopoly known as Prepa signed with Whitefish Energy Holdings LLC, according to three people familiar with the matter.

**U.S. Presses Persian Gulf States to Scale Back North Korea Ties**

**Ian Talley and Nicolas Parasie, The Wall Street Journal**

Trump administration officials, eager to choke off North Korea's global networks, have in recent days urged Persian Gulf countries to clamp down harder on the nuclear-armed state's ties to the region. In three days of high-level talks in the United Arab Emirates and Qatar, U.S. Treasury officials pushed regional leaders to tighten financial oversight and reduce

the number of North Korean laborers working in the region, many of whom are employed in the construction industry.

### **Unlocking the Truth about 'Matching' Fundraising Emails**

**Simone Pathé, Roll Call**

At the stroke of midnight on Sept. 30, they finally stopped. But in less than three months, those incessant end-of-quarter fundraising emails that promise donors their contributions will be "matched" will come flooding back to inboxes around America.

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## **Presidential**

### **Trump lashes out on indictments, tries to shift focus to tax reform**

**Mallory Shelbourne, The Hill**

President Trump on Tuesday dismissed the latest wrinkle in the special counsel's investigation into Russia's election meddling, saying the alleged actions of his former campaign chairman occurred prior to his involvement with the Trump campaign. "The Fake News is working overtime. As Paul Manafort's lawyer said, there was 'no collusion' and events mentioned took place long before he.....came to the campaign," Trump wrote on Twitter.

### **Mueller probe of Trump administration enters new phase**

**Zeke Miller and Jonathan Lemire, The Associated Press**

Special counsel Robert Muller's charges against former Trump campaign chairman Paul Manafort and two other aides marked a new phase in his sprawling investigation into Russia and President Donald Trump, underscoring the ongoing threat Mueller poses to the president. Trump immediately sought to distance himself after Manafort and Rick Gates pleaded not guilty Monday to a 12-count indictment alleging money laundering, conspiracy and other offenses and as another former aide

was revealed to be cooperating with authorities after entering a guilty plea for lying to the FBI.

### **Upstairs at home, with the TV on, Trump fumes over Russia indictments**

**Robert Costa et al., The Washington Post**

President Trump woke before dawn on Monday and burrowed in at the White House residence to wait for the Russia bombshell he knew was coming. Separated from most of his West Wing staff - who fretted over why he was late getting to the Oval Office - Trump clicked on the television and spent the morning playing fuming media critic, legal analyst and crisis communications strategist, according to several people close to him.

### **Kelly says Civil War was caused by 'lack of compromise'**

**Brent D. Griffiths, Politico**

White House chief of staff John Kelly said Monday that the Civil War was "caused by a lack of an ability [to] compromise" and that Confederate general Robert E. Lee was "an honorable man." "I would tell you that Robert E. Lee was an honorable man," Kelly told Fox News host Laura Ingraham.

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## **Senate**

### **Lawmakers to Trump: Leave Mueller alone**

**Mary Clare Jalonick, The Associated Press**

Democrats - and a few Republicans - in Congress have a clear message for President Donald Trump: Don't mess with Robert Mueller. Concerned that the president may fight back after Mueller's investigation into Russian meddling led to two indictments and a guilty plea for his former advisers Monday, top Democrats laid down a marker for the president, who earlier in the year criticized Mueller and the probe.

## **Key GOP Senator Susan Collins Lays Out Her Demands for Tax Bill**

**Sahil Kapur, Bloomberg**

Republican Senator Susan Collins of Maine said Monday she's opposed to two tax breaks for the wealthy that her party leaders are pushing for, indicating that her vote won't be easy to win on President Donald Trump's top legislative priority. "I do not believe that the top rate should be lowered for individuals who are making more than \$1 million a year," Collins said during an interview with Bloomberg News.

## **Donald Trump's Ex-Im Bank Nominee, a Longtime Critic of Agency, Faces Senate Test**

**Kristina Peterson and Byron Tau, The Wall Street Journal**

A long-brewing fight over former Rep. Scott Garrett's candidacy to lead the Export-Import Bank, an agency he has twice voted to shut down, will come to a head this week when he testifies in front of a Senate panel reviewing his nomination. President Donald Trump's decision to nominate Mr. Garrett, a New Jersey Republican who served seven terms in the House before losing last November, has revived an internal GOP debate over the Ex-Im Bank's effectiveness.

## **How Voters View 2018's Most Vulnerable Senators A Year Out**

**Eli Yokley, Morning Consult**

Three Democrats viewed as vulnerable to re-election challenges next year have managed to hit above 50 percent approval in their home states, according to the new Morning Consult Senator Approval Rankings - bucking the larger trend in the Senate, where 65 members ended the third quarter at or below 50 percent approval. The three senators - Heidi Heitkamp of North Dakota, Joe Manchin of West Virginia and Jon Tester of Montana - hail from states President Donald Trump won in 2016, just like the other Democratic senators seen as vulnerable.

## **House**

### **House Panel's Talk of Phased-in Tax Cut Counters Trump's Wishes**

**Jennifer Jacobs and Anna Edgerton, Bloomberg**

House tax writers are discussing a gradual phase-in for President Donald Trump and Republican leaders' proposed corporate tax-rate cut - on a schedule that would put the rate at 20 percent in 2022, according to a member of the chamber's tax-writing committee and a person familiar with the discussions. The phase-in plan is under discussion, but isn't yet final, said a member of the House Ways and Means Committee, who asked not to be named because the discussions are private.

### **"Nothing Is Going To Derail What We're Doing In Congress," Says Paul Ryan**

**Henry J. Gomez, BuzzFeed News**

Nothing will keep Speaker Paul Ryan from talking about tax policy, not even the indictment of President Trump's former campaign chairman. Ryan called in Monday for a scheduled interview with Jerry Bader of WTAQ in Green Bay, Wisconsin.

### **Pelosi Backs Feinstein in California Senate Race**

**Bridget Bowman, Roll Call**

House Minority Leader Nancy Pelosi announced Monday she is endorsing Democratic Sen. Dianne Feinstein in her bid for a fifth term. California State Senate President Kevin de León, a Democrat, announced recently he would challenge Feinstein.

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## **States**

**West Virginia Governor's Switch to GOP Yet to Pay Political Dividends**

**Cameron Easley, Morning Consult**

As a bruising budget standoff over the first six months of 2017 dented West Virginia Gov. Jim Justice's popularity, his decision to leave the Democratic Party did little to help the situation, according to the most recent Governor Approval Rankings from Morning Consult. Justice, who announced at an Aug. 3 rally with President Donald Trump that he was returning to the Republican Party, posted the largest net slide (minus 22 percentage points) in approval rating of any U.S. governor from the second quarter to the third quarter of 2017.

**Gillespie emphasizes common background with Rubio as protesters call him racist**

**Jenna Portnoy, The Washington Post**

Outside a rally for Ed Gillespie with Sen. Marco Rubio Tuesday night in Loudoun County, immigrant rights activists labeled the Republican candidate for governor racist for a campaign that they say scapegoats immigrants. Inside, surrounded by supporters, Gillespie talked about how much he has in common with Rubio (R-Fla.), a 2016 candidate for president popular in the northern Virginia suburbs, and fellow child of immigrants.

**How the Kochs are trying to shake up public schools, one state at a time**

**Kimberly Hefling, Politico**

With school choice efforts stalled in Washington, the billionaire Koch brothers' network is engaged in state-by-state battles with teachers' unions, politicians and parent groups to push for public funding of private and charter schools. One of the newest campaigns is the Libre Initiative, a grassroots drive targeting Hispanic families in 11 states so far, under the umbrella of the Charles and David Koch-funded Americans for Prosperity, a powerful conservative and libertarian advocacy group.

**In the Heart of 'The Resistance,' California Conservatives Are Invigorated**

**Jeremy W. Peters, The New York Times**

California conservatives are feeling a strange sense of invigoration these days. Yes, they are vastly outnumbered, shouted off college campuses and scolded that their way of politics is an anachronism in this bright blue bulwark of the liberal resistance.

**Missouri groups try again to get medical marijuana on the ballot**

**Jack Suntrup, St. Louis Post-Dispatch**

Proponents of legalizing marijuana for medical use say 2018 is the year for Missouri. Public opinion has shifted.

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## **Advocacy**

**Google's Dominance in Washington Faces a Reckoning**

**John D. McKinnon and Brody Mullins, The Wall Street Journal**

Google's parent company, Alphabet Inc., made a big bet on Hillary Clinton winning the 2016 presidential election. Employees donated \$1.6 million to her campaign, about 80% more than the amount given by workers at any other corporation, and Executive Chairman Eric Schmidt helped set up companies to analyze political data for the campaign.

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## **A Message from the National Association of Broadcasters:**

Former FEMA head Craig Fugate has said activating FM radio in smartphones would "ensure if all else fails, you can still get information from broadcasters" during times of emergency.

Likewise, a recent Morning Consult survey reveals that 79 percent of Americans are likely to listen to FM radio on their smartphones for breaking news and updates when internet or mobile connectivity are unavailable due to an emergency. [Find out more.](#)

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## **Opinions, Editorials and Perspectives**

### **Multi-Pronged Approach Needed in Opioid Fight**

**Rep. Fred Upton and Rep. Tim Walberg, Morning Consult**

The opioid crisis is one that truly knows no bounds. It affects so many of us in different and profound ways.

### **The Manafort Indictment**

**The Editorial Board, The Wall Street Journal**

Special Counsel Robert Mueller indicted former Trump campaign chairman Paul Manafort for tax fraud on Monday, and the main charge against Donald Trump is poor judgment for hiring the notorious Beltway operator. The indictment accuses Mr. Manafort (and business partner Richard Gates ) of funneling money from a pro-Russia party in Ukraine into offshore shell companies and bank accounts.

### **Manafort's Indictment Is a Wakeup Call for K Street**

**Joshua Ian Rosenstein and Joseph E. Sandler, Politico**

Monday's 12-count indictment filed against former Trump campaign chair Paul Manafort and his colleague Rick Gates was stunning for a number of reasons: its breadth; the scope of the alleged criminal activity; and, of course, the fact that underpinning much of the indictment are facts demonstrating willful and knowing violations of the Foreign Agents Registration Act, or FARA. The indictment likely means that after many years of lax enforcement, the requirements of this law will finally be taken seriously by the hundreds of law firms, lobbying shops and media relations companies that fall under its purview.

## **Mueller's Investigation Won't Shake Trump's Base**

**David French, The New York Times**

On Monday, nothing changed. If you live, as I do, in the heart of Trump country, you know there is no chance that the indictment of Donald Trump's ex-campaign chairman Paul Manafort, or the guilty plea of a former foreign policy adviser, George Papadopoulos, will alter our political dynamics.

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## **A Message from the National Association of Broadcasters:**

Among major smartphone manufacturers, only Apple does not activate FM radio in its smartphones. Yet, according to a Morning Consult poll, Americans overwhelmingly believe Apple should voluntarily activate FM reception in their devices by a five-to-one margin. [Find out more.](#)

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## **Research Reports and Polling**

### **America's Most and Least Popular Senators**

**Eli Yokley, Morning Consult**

Along with President Donald Trump's declining support across the country, approval ratings for nearly all senators went down in their home states during the third quarter. The period overlapped with several unsuccessful Republican-led attempts to repeal the Affordable Care Act.

### **America's Most and Least Popular Governors**

**Cameron Easley, Morning Consult**

The latest installment of Morning Consult's Governor Approval Rankings - a survey of more than 255,000 registered voters nationwide conducted online from July 1 to Sept. 30 - features a shuffling at the top and bottom,

along with a debutant on the list and a new entrant in the highest ranks. Margins of error vary by state.

**Democrat Holds 17-Point Likely Voter Lead In Virginia,  
Quinnipiac University Poll Finds; Small Gender Gap, Huge  
Racial Gap**  
**Quinnipiac University**

With overwhelming support from non-white voters and double-digit leads among both men and women, Democratic Lt. Gov. Ralph Northam holds a 53 - 36 percent likely voter lead over Republican Ed Gillespie in the Virginia governor's race, according to a Quinnipiac University poll released today. Libertarian Party candidate Cliff Hyra has 3 percent.



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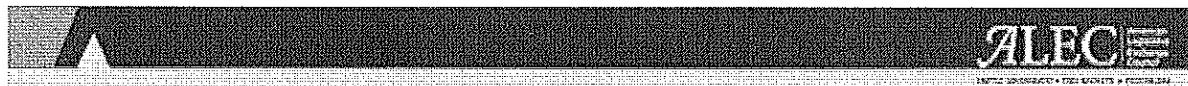
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**From:** American Legislative Exchange Council  
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**To:** Rep88  
**Subject:** The Center to Restore Balance of Power Update 10/31/2017

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**Center to Restore the Balance of Power -**  
October 31, 2017



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See You in Nashville in December



Federalism is one of the three ALEC guiding principles and will occupy center stage at the States and Nation Policy Summit in Nashville, Tennessee, December 6-8, 2017.

Twenty-seven states have submitted applications and only seven more are needed to compel Congress to call a Convention of the States. At the Meeting of the Task Force on Federalism and International Relations, leaders at the Phoenix Convention in September will offer their perspective of the most recent Convention of States and two model policies to address the 17th Amendment will be considered.

Early Bird Registration ends Thursday, November 9. We look forward to seeing you in Nashville.

[Register for SNPS](#)

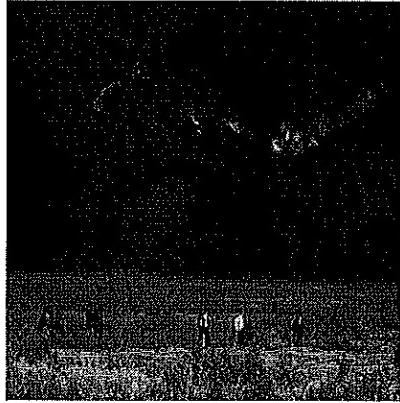
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## Expert Opinion

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### We Can End the Era of Megafires

Sen. Jennifer Fielder | State Senator of Montana



Montana Senator Jennifer Fielder, CEO of the American Lands Council, offers one solution to the worsening wildfire seasons in America's West. Senator Fielder observes that over 10,000 people each year are hospitalized due to wildfire smoke related heart and lung problems, and as many as 2,500 are dying prematurely. Billions of dollars of private and public property are being destroyed in Western wildfires annually. But still, federal employees and so-called environmentalists are attempting to "teach" us to simply accept this era of megafires -- an era that they themselves created.

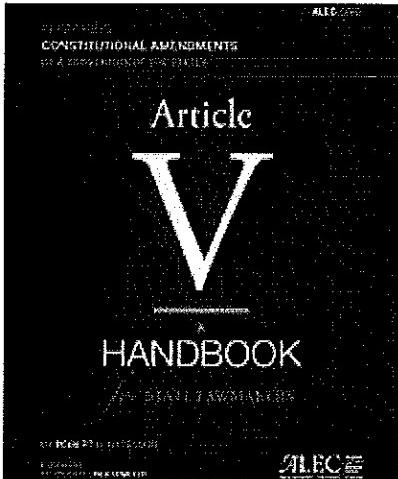
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Article V

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### Article V in the News



ALEC Board of Scholars Member Professor Rob Natelson authored two articles to be highlighted this month. One is an analysis of John Dickinson's *1767 Letters from a Farmer in Pennsylvania* featured in the *Washington Post*. The other, a Heartland Policy Brief entitled "Why the Constitution's 'Convention for Proposing Amendments' is a Convention of the States," should reassure those who believe the time has come for the states to act given current dysfunction at the federal level but fear the "runaway convention" scenario.

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### Expert Opinion

#### Autocracy is on the Rise



Liberal democracy is in retreat, even in countries that were once seen as democratic success stories. According to Freedom House this century has witnessed a rise in authoritarian rule and a reduction of freedom in every indicator it tracks. From free expression to pluralism, from individual rights to rule of law, democracy is fading worldwide. Attacks on the media are increasing, and authoritarian rule is rapidly supplanting rule of law.

This month we highlight Cambodia where the current president is jailing the opposition and Poland which was a pioneering democratic success story in Eastern Europe and is now facing EU censure for tampering with the judiciary and media crackdowns.

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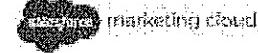
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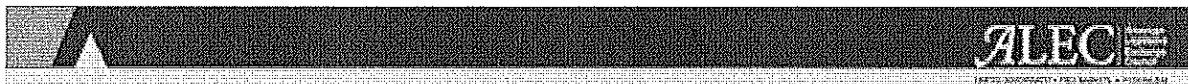
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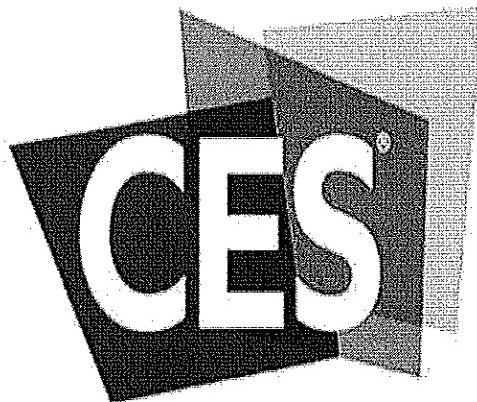
Dear Members,

The American Technology Council, started by President Trump, released a draft report in August detailing how to reorganize government to enhance the delivery of the best IT solutions to support the American people. Much of the planned changes will come to fruition via the General Services Administration (GSA)'s IT schedule. Given that the GSA, which provides centralized procurement for the federal government, is also in the midst of reorganizing and reprioritizing under the direction of a new administration these changes should be relatively easy to implement.

But at this time of determining new priorities, another part of that sprawling agency needs attention as well -- the 18F program. The 18F program has now forced itself into the states having left its federal confines. The program sprawl should be raised during the anticipated confirmation hearing of Emily Murphy, the administration's pick to lead the agency.

The program was begun by the Obama administration with the premise that government needed to recruit commercial-sector information technology talent to assist federal government agencies with their major technology challenges. However, 18F quickly found that their potential internal federal customers were not that interested. So, less than three years after its founding, the mission creep began.

The program expanded its role by actively soliciting and offering services to state and local governments—including end-to-end state program oversight as a systems integrator, federal procurement assistance and federal agency enablement. But as with most Faustian bargains, there is a catch. This offer is often paired with significant pressure from the federal agencies that are responsible for funding portions of these technology projects to the point where states may feel compelled to work with 18F regardless of whether or not those states feel it is in their best interest to do so.



70% of the world's population is forecast to live in cities by 2050.

Smart cities are on the rise. Be part of the discussion on this explosive growth that will influence policies at the Consumer Electronics Show in Las Vegas, NV, January 9-12, 2018.

[Learn More](#)

The GSA should have absolutely no role seeking contract management from states to perform IT responsibilities, using contractors as subcontractors under procedures that reflect nothing near state procurement laws. In addition to 18F's inexperience performing contract management roles, the full risk of state and local technology contract performance normally placed on a contractor now has been moved to an entity that is exempt from cost or performance risk. When a state or local IT system does not work, who is held liable? Are GSA funds expended to fix whatever issues might be created by 18F? Will the federal government leave states holding the bag?

Although there has been no formal explanation given as to why GSA has pushed

itself into the states, significant financial losses that the program has experienced since its inception may be the reason. Failing to convince the federal government to use its own creation, 18F appears to have now moved on to target the states.

The confirmation hearing would be a perfect place and time to ask for a formal explanation as to why GSA has expanded beyond the federal government to compete directly with the private sector. Even better would be to use the time to dissuade the agency from competing with the free market, violating principles of federalism and labeling the expansion of the federal government as innovation.

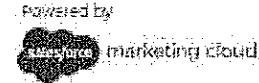
Sincerely,

Bartlett Cleland  
ALEC General Counsel and Chief Strategy and Innovation Officer

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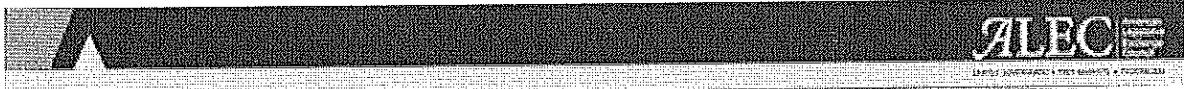
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**From:** American Legislative Exchange Council  
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**Subject:** Your Update From The Center for State Fiscal Reform 11/28/2017

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**Center for State Fiscal Reform Update -  
November 28, 2017**



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**Good Tax Policy Helps Good People Do More Good**  
Elliot Young | Research Analyst, Center for State Fiscal Reform



Tax and regulatory burdens can certainly degrade the health of charitable giving. States with higher taxes strongly correlate with less giving, while states with lower taxes tend to see higher rates of giving. Federal and state lawmakers should work to provide pro-growth tax reform so that every hardworking taxpayer can have more to give more on this Giving Tuesday.

[Read More](#)

= A  
Income Taxes

**States Stunt Growth by Using Income Taxes to Shake Down Mobile Workers**

Joel Griffith, Jonathan Williams | The Hill



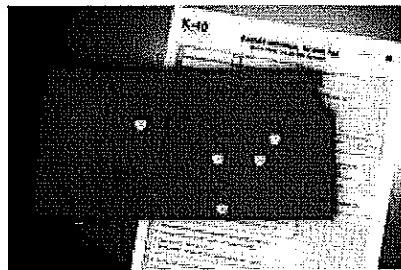
= AA maze of state income tax codes ensnares an increasing proportion of the increasingly mobile American workforce. An assortment of mainly high tax states demands income tax payment from nonresidents working in or travelling through another state for a few short hours or days. These requirements saddle businesses and their employees with new and burdensome compliance costs.

[Read More](#)

Spotlight on Kansas

**Distinguishing Myth from Reality: The Kansas Tax Reform Effort**

Jonathan Williams, Joel Griffith | Center for State Fiscal Reform



Tax policy changes in Kansas have received more media attention than any other state-level fiscal reforms in recent memory – even though many successful pro-growth tax reforms took place in states like North Carolina during the same time period.

[Read More](#)

State and Local Tax Deduction

**Benefits to Taxpayers With Repeal of State and Local Tax Deduction**

Thurston Powers, Rep. Seth Grove | Philly.com



Repealing SALT would generate up to \$1.7 trillion over 10 years, which could fund broad-based tax relief, such as doubling the standard deduction, lowering marginal rates on personal and pass-through income, expanding the child tax credit, and making our corporate tax rates — the highest in the industrialized world — far more competitive.

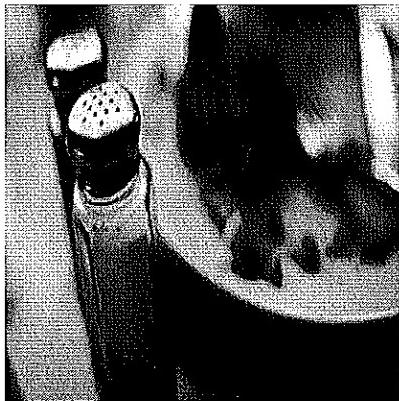
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#### Expert Opinion

### We Must Get SALT Out of Taxpayers' Diets

Jonathan Williams, Sal Nuzzo | The Hill



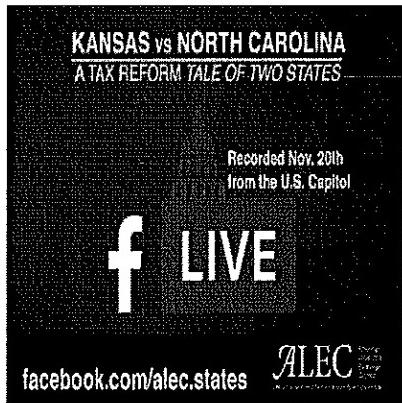
While the debate still rages over the effect that salt has on the health of Americans, another form of salt, the state and local tax deduction (SALT), is harmful to our federal tax code and, more importantly, bad for hardworking American taxpayers.

[Read More](#)

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#### Facebook Live

### A Tale of Two States: Kansas vs. North Carolina



North Carolina and Kansas enacted two of the most important state tax reforms of the past decade. Lessons from both states should guide Congress over the next several weeks.

This panel explained what actually happened with taxes and spending in Kansas and North Carolina. The dual lessons illustrate the need for broad rate reductions and spending controls.

[Read More](#)

## = A Fiscal Responsibility in Higher Education Academy

### First Termer Learns the Issues at ALEC Academy



Representative Susan Beckman is serving her first term as a state legislator in Colorado and is a new ALEC member. We caught up with her at the Fiscal Responsibility in Higher Education Academy at the Antonin Scalia Law School at George Mason University.

[Read More](#)

## State Budgets

### The Williams Report

Bob Williams | State Budget Solutions



Bob Williams give you an around the country look at what is happening in the states when it comes to budgets and pensions.

[Read More](#)

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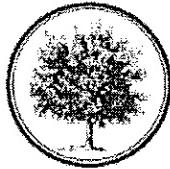
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**Subject:** Buckeye President Robert Alt in Forbes: American Workers Deserve Voting Rights

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## THE BUCKEYE INSTITUTE

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In between the numerous "Giving Tuesday" emails you have likely received today, we hope you will take a minute to read Robert Alt's compelling [piece in Forbes](#).

In the article, Robert argues that we need to change our laws in order to empower public-sector workers with the voting rights they deserve.

Who among us believes it is fair that these workers are being denied the right to vote and the ability to have a voice or a choice on which union represents them? Not your Buckeye Institute. We stand solidly in favor of **Worker Voting Rights** and believe workers deserve a voice and a choice in their representation.

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Buckeye President & CEO Robert Alt has been featured on more than 70 radio shows across the country in the past few months talking about Buckeye's Worker Voting Rights project, which is quickly gaining momentum, earning media attention, and catalyzing action.

As Robert describes in the Forbes piece in more detail (see below for the full article or [click through to Forbes directly](#)), the time has come and the time is right now for Worker Voting Rights.

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# Forbes

## **It's Time For Public Sector Workers To Be Given A Voice And Choice**

Forbes

By Robert Alt

November 27, 2017

Early next year, the Supreme Court will hear *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. Mark Janus is a child support specialist at the Illinois Department of Healthcare and Family Service who objects to paying union fees, which are currently a condition of his employment. He argues that the compulsory fees force him to speak through his union in ways that violate his First Amendment rights.

If Mr. Janus prevails, he and other public-sector employees will be able to choose whether or not to pay union dues or fees without threat of being fired, which would be a tremendous victory for workers. However, even if Mr. Janus wins in court, public sector union members will still have no say regarding which union represents their bargaining unit.

Every morning, hardworking men and women in every state drink their coffee and diligently go to work on our behalf -- in our neighborhoods as public school teachers, home care workers, engineers, and in agencies protecting the environment. Unfortunately, while these civic-minded professionals go to work for us, the labor unions

that they must join in order to teach our children or serve our communities do not always work for them.

Once a public-sector union is certified, it remains the workers' representative -- potentially forever. In Ohio, for example, the Columbus Education Association has represented Columbus public school teachers since 1968 -- back when the Beatles were still together and before many of today's teachers were even born.

Heirloom unions inherited from the Nixon-era are depriving today's public workers and civil servants of any meaningful voice or choice in their workplace. Ninety-four percent of union workers have **never had the chance to vote for or against their unions** -- and still won't even if Janus succeeds in his case.

When a public-sector union fails to address employee complaints or misspends union dues, there is no ballot to cast for change. Instead, public employees remain stuck with the hand-me-down unions that workers who wore bell-bottoms chose for them.

There is a solution.

With worker voting rights, public employees would have regular elections to encourage their unions to be more responsive to their members' interests. Worker voting rights gives union workers an opportunity to be heard, to voice their concerns to their union leaders, to better understand how their union dues are spent, and to choose for themselves whether to keep the union they have, vote their union out, or vote in a better union. Worker voting rights would incentivize union leaders to cultivate broader support among the workforce they represent and to be accountable to their rank-and-file members. Not surprisingly, 82% of unionized Americans **favor holding periodic votes on their union representation**.

Once-and-for-all unions that rarely -- if ever -- face re-election have no worry of being fired by their members for poor performance or disregarding members' concerns. In states that require workers to pay "fair share" fees as a condition of employment, union leadership failure has next to no consequences, because whether the union negotiates better working conditions for its members or not, whether it spends union dues wisely or not, whether it meets the needs of its members or not, there is almost nothing public employees can do to replace or remove the poorly performing union. Even if these public employees are dissatisfied with their representation, they have to continue paying their union dues or fair share fees, or else their employment can be legally terminated.

Public-sector unions and their insulated union officials know and count on this questionable practice of denying their members voting rights, allowing unions that are not taking care of their members to remain firmly entrenched regardless of their members' satisfaction. But state lawmakers can guarantee worker voting rights for public employees by providing for regular elections by law.

Unions have played a significant role in America's workforce for well over a century. But the interests of the unions themselves should never trump the interests of the hardworking men and women these unions represent. Our civil servants and public-sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights.

*Robert Alt is President & CEO of The Buckeye Institute in Columbus, Ohio.*

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p.s. The Buckeye Institute is receiving gifts today as part of "Giving Tuesday" and invite you to consider supporting our work, which is transforming public policy at the state level. Check out our **appeal from last year** for explanation of this online phenomenon and background on how it started, then submit a generous donation to **your favorite policy organization** as you are able.

#GIVING  
TUESDAY

# # #

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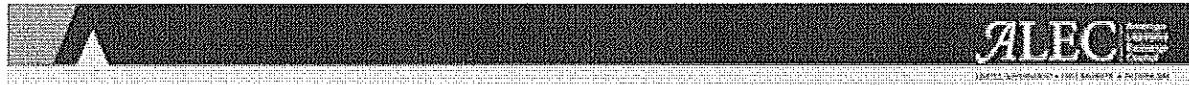
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**Subject:** Your States and Nation Policy Summit Preview 11/30/17

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States and Nation Policy Summit Preview  
November 30, 2017

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# States and Nation Policy Summit Update

**States & Nation Policy Summit**

DEC. 6-8, 2017 | NASHVILLE, TN



As the December 6th policy meeting gets closer, ALEC has a list of alternate lodging for those still in need of accommodations. This year's event is forecast to be one of the largest. Don't miss out on hearing from political

leaders and the opportunity to attend the workshops. Visit the ALEC meetings page for more information.

[Register Today](#)

### New Caucus Update

#### **Attend Inaugural Rural Caucus Meeting in Nashville**



With a majority of ALEC legislators representing rural America, we are launching the *ALEC Rural Caucus*. Working together, we can put in place a plan of action to spur investment and innovation. Join your colleagues on the morning of December 6 at the States and Nation Policy Summit for the inaugural meeting of the *ALEC Rural Caucus*.

[Register Today](#)

### ACCE Workshop Spotlight

#### **ACCE Workshop on Opioid Addiction and Civil Asset Forfeiture Reform**

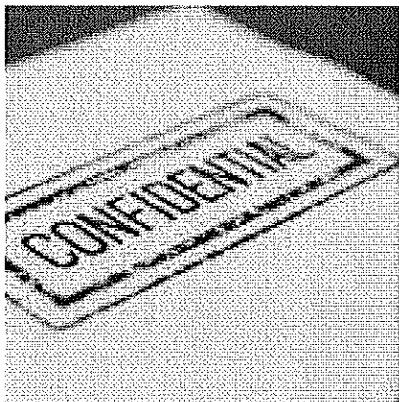


The American City County Exchange (ACCE) will be holding a number of workshops throughout the week, including one on Civil Asset Forfeiture reform against the backdrop of the current opioid epidemic. Come learn about innovative solutions and how local and county governments are reforming criminal justice systems to help fight this crisis.

[Check Out Agenda](#)

## Free Speech Workshop

### **Learn about Disclosure Demands that Threaten Donor Privacy**



The ALEC Center to Protect Free Speech is dedicated to protecting Donor Privacy and the right for people to support causes without opening themselves up to harassment and targeting. Come learn about some of the threats to this ideal at the Workshop: Your Name on a Government List, Disclosure Demands that Threaten Donor Privacy, at the ALEC States and Nation Policy Summit.

[Check Out Agenda](#)

## Expert Insight

### **Giving Tuesday: Good Tax Policy Helps Good People Do More Good**

Elliot Young | Center for State Fiscal Reform



Charitable giving does not occur in a vacuum. While an individual's moral beliefs may motivate giving, the actual capacity for one to give is largely a function of income, expenses, and the perceived quality of the available charitable causes. States with higher taxes strongly correlate with less giving, while states with lower taxes tend to see higher rates of giving.

[Read Article](#)



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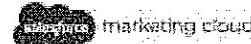


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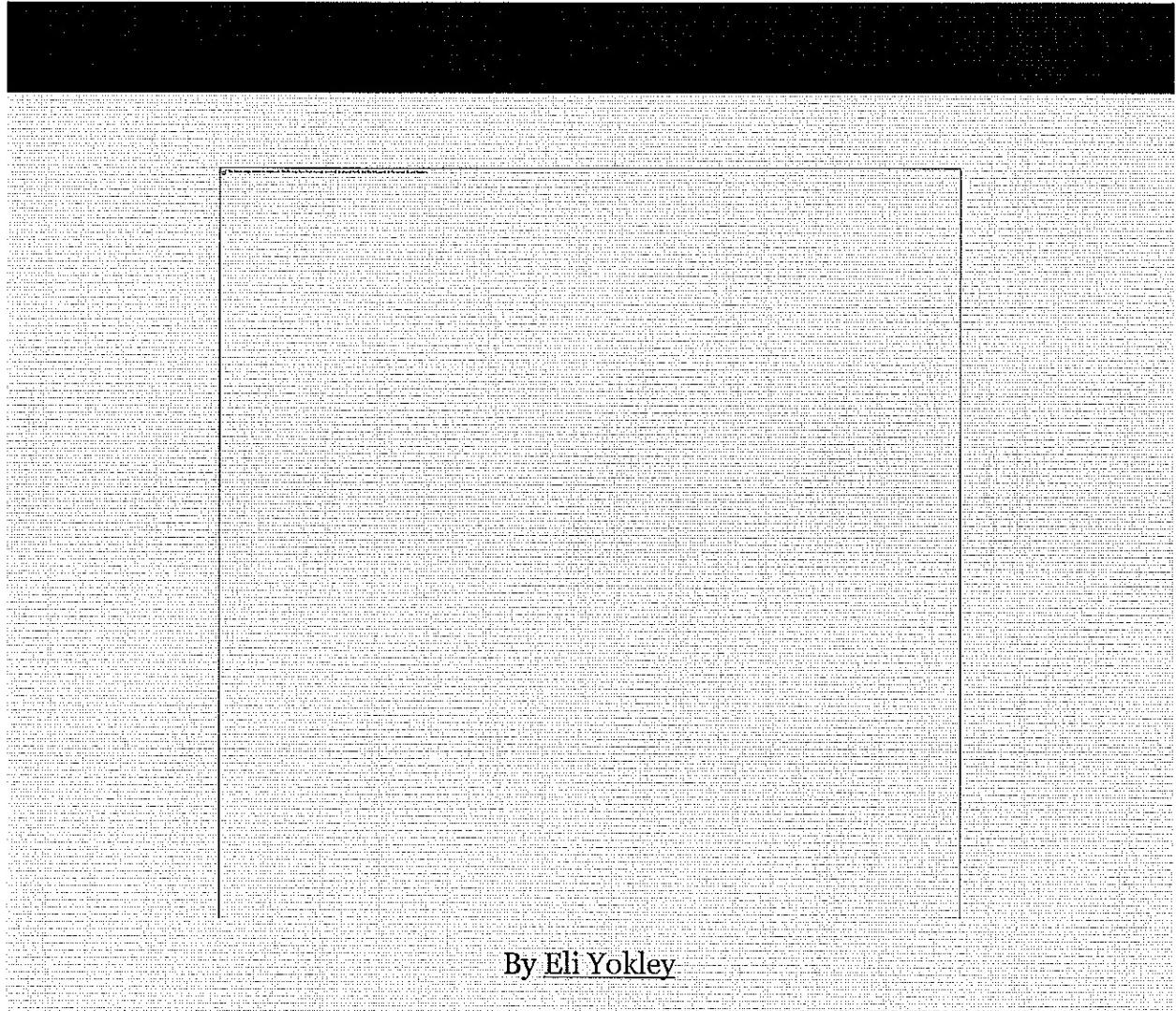
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**From:** Morning Consult  
**Sent:** Wednesday, December 6, 2017 9:04 AM  
**To:** Rep88  
**Subject:** Morning Consult Washington, Presented by the Electronic Payments Coalition: Senate Confirms Nielsen to Lead DHS  
**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

## Top Stories

- The Senate voted 62 to 37 to confirm Kirstjen Nielsen to lead the Department of Homeland Security. Nielsen had served as chief of staff to John Kelly when he was DHS secretary, and she later became a top White House aide when Kelly was named President Donald Trump's chief of staff. ([CNN](#))
- International leaders criticized Trump's plan to recognize Jerusalem as Israel's capital, which he is set to announce today. Pope Francis said he was "profoundly concerned," while China raised concerns about "possible aggravation of regional tensions." ([The Associated Press](#))
- Donald Trump Jr., the president's eldest son, is scheduled to testify today before the House Intelligence Committee behind closed doors. Democratic investigators are interested in the Trump family's financial ties to Moscow and any communications Trump Jr. had with former national security adviser Michael Flynn, who pleaded guilty to lying to the Federal Bureau of Investigation about his meeting with Sergey Kislyak, Russia's ambassador to the United States. ([The Hill](#))
- A new poll found that 61 percent of registered voters say Congress should probe all credible allegations of sexual misconduct against a sitting politician, even if the alleged events took place before the lawmaker took office. The survey comes amid allegations of past sexual misconduct involving Sen. Al Franken (D-Minn.) and ahead of the Dec. 12 special election for Senate in Alabama, where Republican nominee Roy Moore has been accused of sexual misconduct from decades ago. ([Morning Consult](#))

## **Chart Review**

## **Deadline Looming, House GOP Keeps Talking About Funding Options** **Roll Call**

## Shutdowns In Recent Decades

Government shutdowns have typically occurred when different parties control either the House, Senate or White House – aside from funding lapses in the early 1970s during which the government remained functioning.

Source: CQ data, Congressional Research Service  
Randy Leonard/Roll Call



## **Events Calendar (All Times Local)**

### **WEDNESDAY**

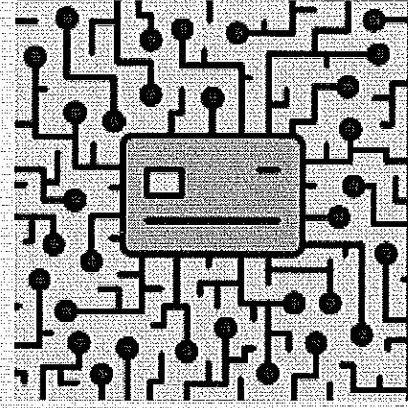
California Attorney General Becerra speaks at National Press Club	10 a.m.
Sen. Burr speaks at Council on Foreign Relations event	12:45 p.m.
Sen. Coons speaks at ITIF event on the economy	1 p.m.
House Foreign Affairs Committee hearing on Brexit negotiations	2 p.m.

### **THURSDAY**

ACCF event on Trump's economic policy agenda	9:30 a.m.
Carnegie Endowment for International Peace event on sanctions for nonproliferation	10 a.m.
Senate Armed Services Committee hearing on the Defense Department's acquisition reform efforts	10 a.m.
FBI director testifies before House Judiciary Committee	10 a.m.
CSIS event on OPEC's World Oil Outlook 2017	2 p.m.

### **FRIDAY**

Carnegie Endowment for International Peace event on China and the U.S.-Japan alliance	10:30 a.m.
Trump campaign rally in Pensacola, Fla.	7 p.m.



## NEW REPORT:

EMV is critical in reducing counterfeit payment fraud. Payments innovation is key to data security's future.

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## General

### **Voters Say No Statute of Limitations for Lawmakers Accused of Sexual Misconduct**

**Eli Yokley, Morning Consult**

Most voters say that lawmakers accused of sexual misconduct should be formally investigated, even if the alleged events occurred before they took office, a new Morning Consult/Politico poll shows. Sixty-one percent of poll respondents said Congress should probe all credible allegations of sexual misconduct against a sitting politician, while 28 percent said the legislative body should only investigate events that took place after a lawmaker was sworn in.

### **Justices Sharply Divided in Wedding Cake Case**

**Adam Liptak, The New York Times**

Justice Anthony M. Kennedy, who almost certainly holds the crucial vote in the case of a Colorado baker who refused to make a wedding cake for a gay couple, sent sharply contradictory messages when it was argued Tuesday at the Supreme Court. He asked a lawyer for the Trump

administration whether the baker, Jack Phillips, could put a sign in his window saying, "We don't bake cakes for gay weddings."

### **DOJ reviewing whether gun bump stocks should be banned**

**Cristiano Lima, Politico**

Federal authorities announced Tuesday they are reviewing whether bump stocks, the gun accessory used in a Las Vegas shooting in October that killed 58 concert-goers, should be prohibited. The Department of Justice and the Bureau of Alcohol, Tobacco, Firearms and Explosives said the process will seek to determine whether existing regulations outlawing the possession of machine guns can be applied to the accessory, which lets semi-automatic weapons fire more rapidly.

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## **Presidential**

### **Warnings intensify as Trump readies Jerusalem declaration**

**Josef Federman and Matthew Lee, The Associated Press**

America's friends and foes unleashed fierce criticism on Wednesday ahead of President Donald Trump's announcement recognizing Jerusalem as Israel's capital. While Israel welcomed the news, Palestinian officials declared the Mideast peace process "finished" and Turkey announced it would host a meeting of Islamic nations next week to give Muslim countries' leaders an opportunity to coordinate a response.

### **Trump pressuring congressional Republicans to speed up on tax reform**

**Nancy Cook and Aaron Lorenzo, Politico**

President Donald Trump has told congressional leaders he'd like the final deal on tax reform to move even faster than the Dec. 22 goal they've set, according to White House officials. "We want it to proceed as quickly as possible, and we've communicated that to the Hill in a lot of ways," said Marc Short, White House director of legislative affairs.

## **Trump pushing to dismiss suit brought by former 'Apprentice' contestant over groping claims**

**Laura Nahmias, Politico**

Sexual harassment allegations against President Donald Trump dating back to his days hosting the reality TV show "The Apprentice" will be raised in a New York courtroom Tuesday afternoon, where a judge will hear arguments on a motion to dismiss a suit brought by a former contestant who says Trump groped her a decade ago. Summer Zervos filed a defamation suit after Trump issued a statement appearing to dismiss her allegations that he repeatedly kissed her on the mouth, grabbed her breast and thrust his genitals at her when she appeared on the show in 2007.

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## **Senate**

### **Senate confirms Trump's 2nd permanent DHS chief**

**Eli Watkins, CNN**

The Senate on Tuesday confirmed Kirstjen Nielsen to be secretary of Homeland Security, permanently filling the vacancy created when President Donald Trump selected retired Gen. John Kelly to be his chief of staff. Kelly left the Department of Homeland Security for the White House in late July during a shakeup that included the resignation of the former chief of staff, Reince Priebus.

### **GOP senators grumble over Trump, RNC backing Moore**

**Seung Min Kim and Kevin Robillard, Politico**

Senate Republicans are still trying to keep their distance from Roy Moore, creating a fresh break with President Donald Trump and the Republican National Committee, which have re-embraced Moore less than a week before a key special Senate election despite accusations of child molestation against the Alabama Republican. Both the National Republican Senatorial Committee and the Senate Leadership Fund, a super PAC controlled by allies of Senate Majority Leader Mitch

McConnell, said they plan on staying out of the contest. Several Republican senators furiously protested the RNC's decision on Tuesday.

**Bannon Finds New Fight Backing Roy Moore, but Risks Are High**

**Jeremy W. Peters, The New York Times**

Four months ago, Stephen K. Bannon was plotting a takeover of Washington and the Republican Party from his office in the West Wing as chief strategist to President Trump. On Tuesday, Mr. Bannon the private citizen stood where his latest fight had taken him: the mulch floor of a barn in southern Alabama, where he delivered a passionate plea to elect Roy S. Moore, the former judge who faces numerous accusations that he preyed on young women, some of them teenagers.

**Democrats place hold on McFarland nomination**

**Manu Raju and Jeremy Herb, CNN**

Democrats have placed a hold on the nomination of KT McFarland to be ambassador to Singapore until she answers their questions about her knowledge of communications between former national security adviser Michael Flynn and Russian ambassador Sergey Kislyak, a Democratic source told CNN. McFarland told the Senate Foreign Relations Committee in written comments that she "was not aware" of any communications between Flynn and the Russian ambassador - an assertion that appears to be contradicted by court documents unsealed Friday after Flynn pleaded guilty to lying to the FBI.

**Senate Banking Advances Powell Nomination for Fed Chairman**

**Doug Sword, Roll Call**

The Senate Banking Committee voted 22-1 Tuesday to recommend confirmation of Jerome Powell as the next chairman of the Federal Reserve. Massachusetts Sen. Elizabeth Warren voted against the recommendation.

## **E.W. Jackson, conservative firebrand, preparing U.S. Senate bid in Virginia**

**Jenna Portnoy, The Washington Post**

E.W. Jackson, a firebrand minister who says yoga leads to Satan and gay people are ill, plans to announce he is seeking the Republican nomination to challenge U.S. Sen. Tim Kaine (D-Va.) next year, according to Jackson's finance director. Jackson will announce his candidacy on Dec. 11 in the Chesapeake area, said Steven Thomas, who said he is raising money for Jackson's campaign and filled the same role during Jackson's 2013 losing bid for lieutenant governor.

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## **House**

### **Trump Jr. set for high-stakes interview with House intel panel**

**Katie Bo Williams and Olivia Beavers, The Hill**

Donald Trump Jr. is set on Wednesday to testify before congressional investigators probing Russian interference in the election, the latest high-stakes interview of a member of President Trump's immediate family. The interview, which is voluntary and will take place behind closed doors with the House Intelligence Committee, is Trump Jr.'s second appearance on Capitol Hill and follows similar interviews by the president's son-in-law, Jared Kushner.

### **Donald Trump Jr. asked Russian lawyer for info on Clinton Foundation**

**Ken Dilanian and Natasha Lebedeva, NBC News**

Donald Trump Jr. asked a Russian lawyer at the June 2016 Trump Tower meeting whether she had evidence of illegal donations to the Clinton Foundation, the lawyer told the Senate Judiciary Committee in answers to written questions obtained exclusively by NBC News. The lawyer, Natalia Veselnitskaya, told the committee that she didn't have any such evidence, and that she believes Trump misunderstood the nature of the meeting after receiving emails from a music promoter promising

incriminating information on Hillary Clinton, Donald Trump's Democratic opponent.

**House GOP Postpones Short-Term Spending Bill Vote**  
**Kristina Peterson, The Wall Street Journal**

A dispute among House Republicans over their year-end strategy forced GOP leaders to delay a vote on a stopgap spending bill, with just a handful of days before a partial government shutdown. House GOP leaders were still debating Tuesday evening whether to bring to the floor on Thursday a short-term spending bill to keep the government running through Dec. 22 or Dec. 30.

**House GOP exploring tax plan changes to help California, other high-tax states**  
**Mike DeBonis, The Washington Post**

Top House Republicans said Tuesday they were exploring changes to their tax plan that would lower tax bills for Californians and others who pay high state income taxes - including by allowing Americans to deduct some state income tax payments from what they owe in federal taxes. House Ways and Means Chairman Kevin Brady (R-Tex.) told reporters Tuesday that tax writers are looking at a number of ways to give relief to residents of high-tax states.

**Black lawmakers resentful after Conyers resignation**  
**John Bresnahan, Politico**

The stunning fall of Democratic Rep. John Conyers - who resigned Tuesday amid a growing sexual-harassment scandal - has left confusion, anger, resentment and bewilderment inside the ranks of the Congressional Black Caucus, a group that Conyers helped found nearly four decades ago. Many CBC members see a double standard at play.

**Conservative lawmakers met to discuss GOP chairman's ouster**  
**Scott Wong, The Hill**

Leaders of the conservative Republican Study Committee met last week and discussed their desire to oust Rep. Rodney Frelinghuysen as Appropriations chairman after the New Jersey Republican voted against the GOP tax-reform bill, The Hill has learned. Majority Whip Steve Scalise (R-La.), a former Republican Study Committee (RSC) chairman who's now the party's chief vote-counter, participated in that discussion last Thursday, GOP sources said.

**Lexington Mayor Jim Gray running for Congress**  
**Daniel Desrochers, Lexington Herald Leader**

After months of will-he, won't-he whispering among Kentucky Democrats, Lexington Mayor Jim Gray made it official early Tuesday: He's running for Congress. "We need to bring people together; we need to reach across partisan lines," Gray said as he launched his campaign in Berea.

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## States

**Joe Trillo to run for governor as an independent**  
**Patrick Anderson, Providence Journal**

Joseph A. Trillo, the former Republican state lawmaker who became the leading Rhode Island advocate for President Donald Trump, said Tuesday he will run for governor as an independent, shocking many in the party he is leaving and adding a new wrinkle to the developing 2018 race. "To win with my message in Rhode Island I will need Democratic support. I feel this can only be accomplished by shedding party politics and running as an independent," Trillo said as he formally launched his campaign on radio station WPRO Tuesday afternoon.

**Ben Jealous releases plan for statewide 'Medicare for all'**  
**Michael Dresser, The Baltimore Sun**

Democratic gubernatorial candidate Ben Jealous released a plan Wednesday calling on Maryland to take the plunge and create a universal

health care system without waiting for the the federal government to take the lead. The release of Jealous' outline of a statewide "Medicare for all" plan comes as he is planning a Wednesday night rally at the College of Notre Dame with 2016 presidential candidate Sen. Bernie Sanders, a supporter of single-payer health care who has endorsed Jealous' candidacy.

### **Women rock Tuesday's runoffs in metro Atlanta**

**Greg Bluestein, Atlanta Journal-Constitution**

There was never any doubt that voters on Tuesday would elect Atlanta's second female mayor. But up and down the ballot for Tuesday's runoff, metro Atlanta voters sent a wave of other women to public office.

## **Advocacy**

### **Conservative Groups Seeking Support for Tax Cuts Find It a Hard Sell**

**Jeremy W. Peters, The New York Times**

A dozen high school students working for Americans for Prosperity, the conservative political network funded by Charles G. and David H. Koch, fanned out across the Little Havana neighborhood one day last week to make the case that the Republican tax bill was something to get excited about. "We believe it's time to fix our broken tax code and let families keep more of what they earn," Barbara D'Ambrosio, a sophomore, dutifully told an elderly woman who answered the door in her slippers.

### **How Trump Did the Impossible: Getting Solar and Oil Lobbyists to Unite**

**Ari Natter and Jennifer A Dlouhy, Bloomberg**

In his 20 years of promoting renewable energy in Washington, Gregory Wetstone has made common cause with a range of special interest groups:- environmentalists, power utilities, even a handful of natural gas producers. But President Donald Trump's efforts to bail out the coal

industry led Wetstone, the head of the American Council on Renewable Energy, to find a surprising new partner: Big Oil.

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#### **A Message from the Electronic Payments Coalition:**

A new EPC report analyzes how countries that adopt EMV experience lower counterfeit card fraud rates. It's time for a dynamic data security strategy to protect consumers like you. [Learn more from EPC](#).

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### **Opinions, Editorials and Perspectives**

#### **Does President Trump Want to Negotiate Middle East Peace?**

**The Editorial Board, The New York Times**

In the debate over a potential Israeli-Palestinian peace agreement, no issue is more charged with emotion than the future of Jerusalem. Should the holy city be the capital of the Israelis alone or shared with the Palestinians?

#### **The Right Move on Monuments**

**The Editorial Board, The Wall Street Journal**

President Trump announced Monday that he will dramatically reduce the acreage of two national monuments. The order ends excessive federal control of Utah land, allowing residents to protect their own territory and conserve their cultural relics.

#### **What a presidential president would have said about the FBI**

**Editorial Board, The Washington Post**

Given how far President Trump strays from the norms of democratic rhetoric, we think it useful from time to time to recall how a more presidential president might speak. This is another such time.

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### **A Message from the Electronic Payments Coalition:**

**NEW REPORT:** EMV adoption is critical to reduce counterfeit fraud in the U.S. [Learn how](#) EPC members are developing and implementing new technologies to make your life more secure.

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## **Research Reports and Polling**

### **One Nation, Divided, Under Trump: Findings from the 2017 American Values Survey**

**Alex Vandermaas-Peeler et al., PRRI**

Seven in ten (70%) Americans say that recent stories about women being sexually harassed and assaulted in the workplace are part of a broader pattern of how women are often treated, while about one-quarter (24%) say that they are isolated incidents. Nearly eight in ten (78%) women, and more than six in ten (63%) men, say that recent reports of sexual harassment and assault are not isolated incidents.

### **Best Places to Work in the Federal Government** **Partnership for Public Service**

The annual Best Places to Work in the Federal Government® rankings are produced by the nonprofit, nonpartisan Partnership for Public Service and Deloitte. The 2017 rankings include the views of more than 498,000 civil servants from 200 federal organizations on a wide range of workplace topics.

**Two-thirds of youth fearful about America's future, prefer Democratic control of Congress, Harvard youth poll finds**  
**Harvard Institute of Politics**

A new national poll of America's 18- to 29-year-olds by Harvard's Institute of Politics (IOP), located at the Kennedy School of Government, finds that two-thirds of young Americans (67%) are more fearful than hopeful about America's future. Less than one year before the 2018 midterm elections, likely young American voters cite preference for Democratic control of Congress, 65% to 33%.



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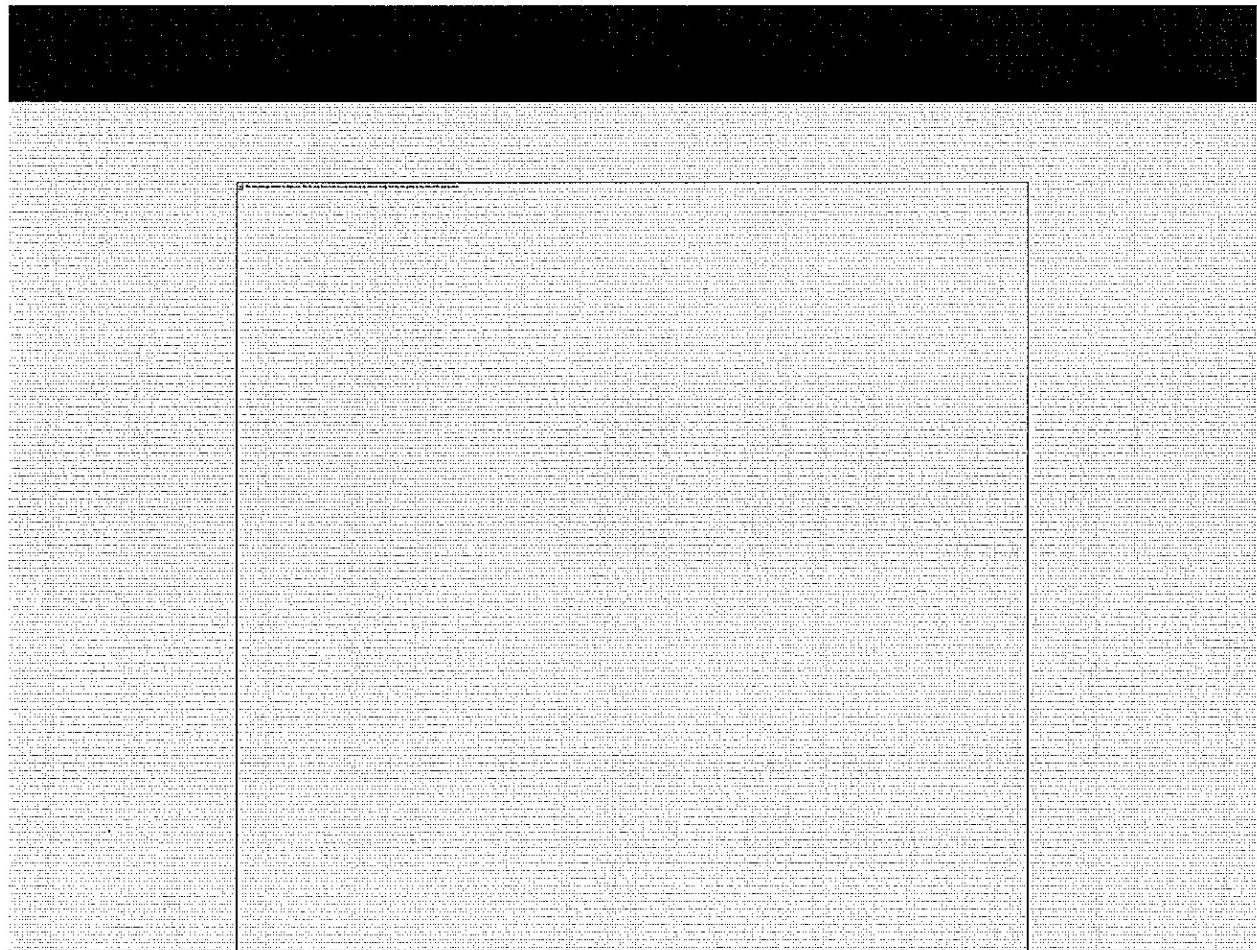
**From:** Morning Consult

**Sent:** Thursday, December 7, 2017 9:20 AM

**To:** Rep88

**Subject:** Morning Consult Washington, Presented by the Electronic Payments Coalition: Franken to Make Announcement From Senate Floor This Morning

**Attachments:** ATT00001.txt; ATT00002.htm



By Eli Yokley

## Top Stories

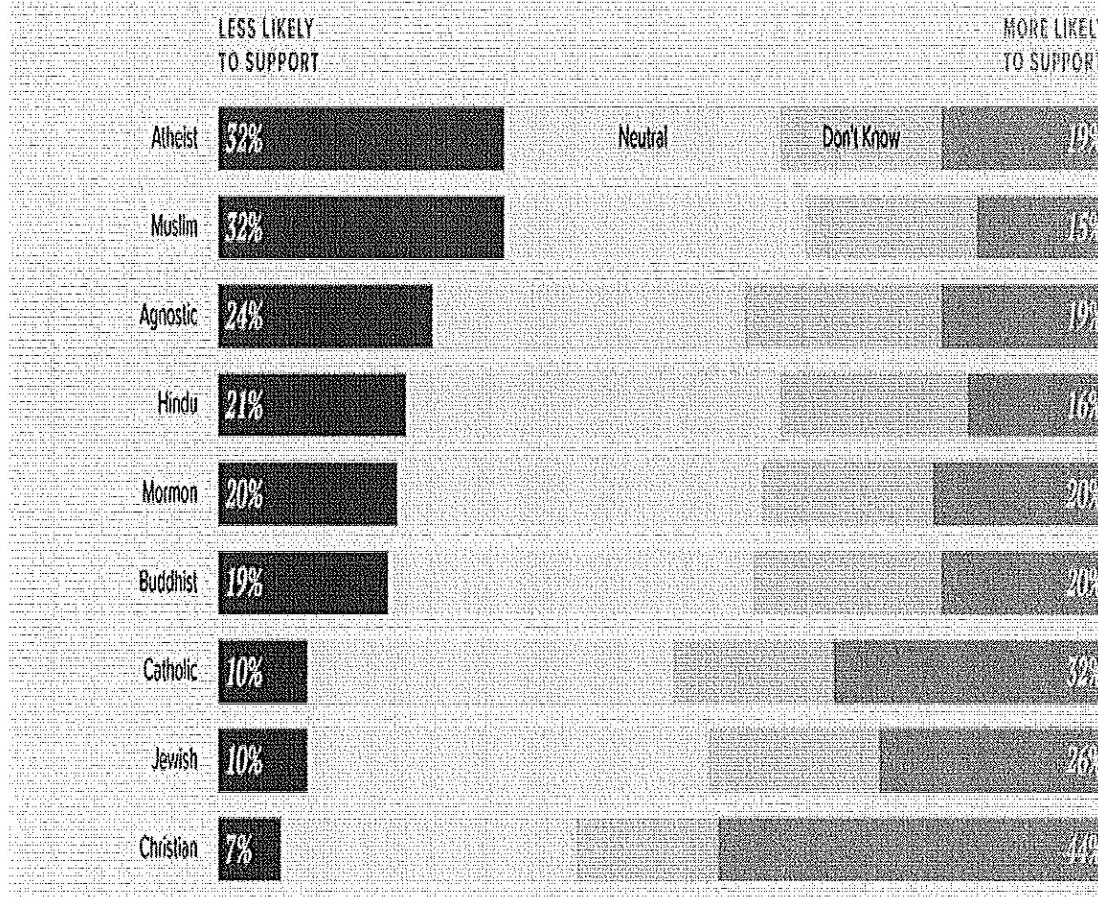
- Sen. Al Franken (D-Minn.) plans to resign from the Senate following calls from more than half of the Senate Democratic Caucus to quit amid allegations of sexual misconduct, according to an unnamed Democratic official. Franken's office said no final decision has been made, and the Minnesota Democrat plans to make an announcement from the Senate floor this morning. ([Star Tribune](#))
- The House voted 231 to 198 to pass legislation that would let concealed carry license holders conceal a handgun in other states, with opposition from 14 Republicans and support from six Democrats. The measure, a top priority for the National Rifle Association, is strongly opposed by Senate Democrats. ([Politico](#))
- President Donald Trump is set to meet today with Republican and Democratic leaders from the House and Senate to discuss a long-term budget deal as lawmakers prepare to pass a stopgap spending measure to avoid a government shutdown on Saturday. The House is expected to vote today on a bill that would keep the government open through Dec. 22, with the Senate expected to vote on the measure Friday. ([Bloomberg](#))
- The Senate voted to begin negotiations with the House on competing bills that would overhaul the federal tax code, with the goal of resolving differences on issue such as deductions for medical expenses and state income taxes. The eight Senate GOP conferees include Finance Committee Chairman Orrin Hatch of Utah, Budget Committee Chairman Mike Enzi of Wyoming, and Energy and Natural Resources Committee Chairman Lisa Murkowski of Alaska. ([The Wall Street Journal](#))

## Chart Review

**Americans Are Skeptical of Muslim, Atheist Candidates, but That Could Change**  
**Morning Consult**

# Atheists, Muslims Garner Least Support From Americans

Does knowing a candidate who is running for public office has the following background make you more or less likely to vote for them?



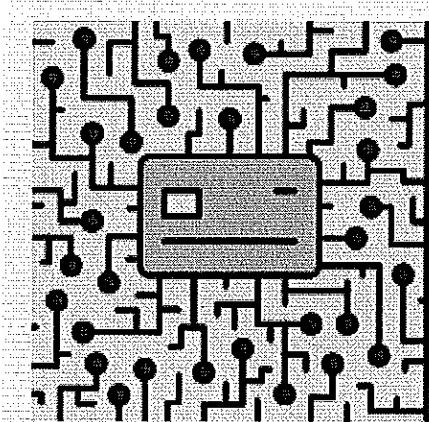
## **Events Calendar (All Times Local)**

### **THURSDAY**

ACCF event on Trump's economic policy agenda	9:30 a.m.
Carnegie Endowment for International Peace event on sanctions for nonproliferation	10 a.m.
Senate Armed Services Committee hearing on the Defense Department's acquisition reform efforts	10 a.m.
FBI director testifies before House Judiciary Committee	10 a.m.
CSIS event on OPEC's World Oil Outlook 2017	2 p.m.

### **FRIDAY**

Carnegie Endowment for International Peace event on China and the U.S.-Japan alliance	10:30 a.m.
Trump campaign rally in Pensacola, Fla.	7 p.m.



## NEW REPORT:

EMV is critical in reducing counterfeit payment fraud. Payments innovation is key to data security's future.

EPC ELECTRONIC PAYMENTS COALITION

LEARN MORE FROM EPC

## General

### **Voters Back Government Shutdown to Renew Health Insurance Program for Kids**

**Jon Reid, Morning Consult**

Two-thirds of voters in a new poll indicated support for shutting down the federal government until Congress reauthorizes the Children's Health Insurance Program, which lawmakers let expire in September amid partisan disagreements over how to pay for a funding extension. With funding for government operations set to expire on Friday absent congressional action, 67 percent of respondents said they support shutting down the government over CHIP, according to a Morning Consult/Politico poll conducted Dec. 1-3.

### **Flynn Said Russian Sanctions Would Be 'Ripped Up,' Whistle-Blower Says**

**Mark Mazzetti and Michael S. Schmidt, The New York Times**

Michael T. Flynn, President Trump's former national security adviser, told a former business associate that economic sanctions against Russia would be "ripped up" as one of the Trump administration's first acts, according to an account by a whistle-blower made public on Wednesday. Mr. Flynn believed that ending the sanctions could allow a business

project he had once participated in to move forward, according to the whistle-blower.

### **Republicans hammer Mueller, FBI as Russia investigation intensifies**

**Devlin Barrett and Sean Sullivan, The Washington Post**

Republican activists and lawmakers are engaged in a multi-front attack on special counsel Robert S. Mueller III's probe of possible connections between associates of President Trump and Russian agents, trying to stop or curtail the investigation as it moves further into Trump's inner circle. For months, the president and his allies have been seizing on any whiff of possible impropriety by Mueller's team or the FBI to argue that the Russia probe is stacked against Trump - potentially building the political support needed to dismiss the special counsel.

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## **Presidential**

### **Trump to Meet Democrats With Congress on Track to Avoid Shutdown**

**Erik Wasson et al., Bloomberg**

President Donald Trump will meet with congressional leaders from both parties Thursday to negotiate on a long-term budget deal as Congress prepares to pass a stopgap spending measure to avoid a U.S. government shutdown Saturday. The House is expected to vote on a two-week spending bill to keep the government open through Dec. 22, with Senate action coming by Friday.

### **U.S. 9th Circuit judges skeptical of Trump's travel ban**

**Maura Dolan, Los Angeles Times**

Two days after the Supreme Court allowed President Trump to enforce his travel ban, a federal appeals court appeared skeptical that it complied with the law. During a hearing in Seattle before a three-judge panel of the U.S. 9th Circuit Court of Appeals, a lawyer for the Trump administration

argued the revised ban issued in September was based on careful study and tailored toward specific conditions in various countries.

**Trump administration opposes unions in key Supreme Court case**

**Ian Kullgren, Politico**

The Trump administration sided against public employee unions Wednesday evening in a Supreme Court case that could deal the labor movement a crippling financial blow. In a brief submitted in Janus v. American Federation of State, County, and Municipal Employees, the Office of Solicitor General sided with a child-support specialist for the state of Illinois who's challenging AFSCME's legal right to collect so-called "fair-share fees" from union nonmembers.

**Trump Jr. Won't Provide Details of a Call With His Father**  
**Sharon LaFraniere and Nicholas Fandos, The New York Times**

Donald Trump Jr. refused on Wednesday to provide a congressional committee details of a July telephone conversation with his father about a meeting last year at which Trump campaign officials had expected to receive damaging information from the Russian government about Hillary Clinton. Testifying in a closed session before the House Intelligence Committee, Mr. Trump claimed that his conversation over the summer with his father, two days after The New York Times disclosed the June 2016 meeting at Trump Tower in Manhattan, was protected under attorney-client privilege because lawyers for both men were on the call.

**Haley: 'Open question' if US athletes can attend Olympics in South Korea**

**Sophie Tatum, CNN**

Whether US athletes will be able to attend the 2018 Winter Olympics in South Korea remains an "open question," US Ambassador to the United

Nations Nikki Haley said Wednesday night. The Winter Olympics are set to be held Feb. 9-25 in Pyeongchang, South Korea.

## Senate

### **Sen. Al Franken plans a morning announcement on the Senate floor**

**Jennifer Brooks et al., Star Tribune**

Democratic Party leaders united Wednesday in calling for Sen. Al Franken to resign from the U.S. Senate, an extraordinary rebuke to the Minnesota Democrat as he faced a new allegation of sexual harassment. Franken planned to make an announcement about his future Thursday morning on the Senate floor.

### **Senate Votes to Begin Tax-Overhaul Negotiations With House**

**Richard Rubin, The Wall Street Journal**

The U.S. Senate voted Wednesday to start formal tax-bill negotiations with the House of Representatives as lawmakers began grappling with the delicate balance they must strike to advance final legislation through both chambers and to the president by Christmas. Republicans are weighing a number of changes that would expand tax cuts and force offsetting adjustments.

### **Bredesen running for Senate**

**Cari Wade Gervin, Nashville Post**

Former Gov. Phil Bredesen is entering the Democratic primary for U.S. Senate. According to multiple sources, Bredesen began calling major donors this afternoon to confirm that he is in the race.

### **Indiana GOP Senate candidate voted Democrat until 2012**

**Brian Slodysko, The Associated Press**

A wealthy Indiana Senate candidate who bills himself in television ads as a conservative Republican voted for more than a decade in the state's Democratic primaries, according to public documents obtained by The Associated Press. Records from the Dubois County Clerk's office, where candidate Mike Braun is registered to vote, show the 63-year-old consistently cast Democratic ballots in partisan primary elections until 2012.

## House

### **House passes concealed carry gun bill in win for GOP and NRA**

**John Bresnahan, Politico**

The House passed legislation to permit concealed carry license holders to conceal a handgun in other states, the first time Congress has taken action on a gun bill since President Donald Trump was sworn into office. The "Concealed Carry Reciprocity Act," a top priority for the National Rifle Association and other gun-rights groups, passed 231-198.

### **House Republicans Weigh Linking Debt Ceiling Increase to Spending Bill**

**Kristina Peterson and Kate Davidson, The Wall Street Journal**

A group of House Republicans is considering pushing to raise the government's borrowing limit as part of the next long-term spending bill, a move that could help dispatch one of the thorniest issues for GOP lawmakers before next year's primary elections intensify. Rep. Doug Collins of Georgia, a member of House GOP leadership and the head of a working group of House Republicans on the debt limit, said lawmakers were considering increasing the debt ceiling as part of the bill funding the government for the rest of the fiscal year, known as an omnibus.

### **Ryan says Republicans to target welfare, Medicare, Medicaid spending in 2018**

**Jeff Stein, The Washington Post**

House Speaker Paul D. Ryan (R-Wis.) said Wednesday that congressional Republicans will aim next year to reduce spending on both federal health care and anti-poverty programs, citing the need to reduce America's deficit. "We're going to have to get back next year at entitlement reform, which is how you tackle the debt and the deficit," Ryan said during an appearance on Ross Kaminsky's talk radio show.

**Kihuen Mum on Re-Election Question**  
**Bridget Bowman, Roll Call**

Nevada Democratic Rep. Ruben Kihuen declined to answer questions Wednesday morning about whether he will run for re-election. "We're going to be making another statement here in the next few days," Kihuen told Roll Call as he walked to the Capitol.

**Andy Levin running to replace father Sandy Levin in 9th Congressional district**  
**Lauren Gibbons, MLive.com**

Andy Levin, the son of sitting U.S. Rep. Sandy Levin and the former head of the Michigan Department of Energy, Labor and Economic Growth, has announced his bid to replace his father in Washington, D.C. Andy Levin, of Bloomfield Twp., is the founder of a clean energy business and directed worker training as part of his role with the state of Michigan under former Gov. Jennifer Granholm.

**John Conyers III was arrested for domestic abuse but not prosecuted**  
**Andrew Blankstein and Alex Johnson, NBC News**

John Conyers III, a Detroit hedge fund manager named as a possible successor to his scandal-rocked father, Rep. John Conyers, was arrested in Los Angeles this year on suspicion of domestic violence, but prosecutors declined to charge him, according to documents obtained by NBC News. The Los Angeles County District Attorney's Office cited a "lack of independent witnesses" and their conclusion that it "could not be proven beyond a reasonable doubt that the victim's injury was not

"accidentally sustained" while he was disarming her, according to case paperwork.

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## States

### **Race where Republican leads by 10 votes instrumental to deciding Va. politics' fate**

**Fenit Nirappil, The Washington Post**

It was "Take Your State Legislator to School Day" in this coastal Virginia city. And two of them showed up.

### **Independent Greg Orman reshuffles the race for Kansas governor**

**Bryan Lowry and Jonathan Shorman, The Kansas City Star**

A Johnson County businessman with tens of millions in assets took the first major steps Wednesday toward an independent candidacy for governor. Greg Orman, who mounted a failed bid for U.S. Senate in 2014, filed paperwork with the state to establish a campaign committee and begin fundraising.

### **Dallas County Sheriff Lupe Valdez, a Democrat, is running for governor**

**Patrick Svitek, The Texas Tribune**

Dallas County Sheriff Lupe Valdez announced Wednesday morning that she is running for governor, giving Texas Democrats a serious candidate for the top job with five days until the candidate filing deadline for the 2018 primaries. "Like so many hardworking Texans, I know it's tough deciding between buying food, finding a decent place to live, and setting aside money for college tuition," Valdez said in a statement before filing at the Texas Democratic Party headquarters in Austin.